ADVANCING CRIMINOLOGY

NOTES FOR CSS COMPETITIVE EXAM 2018

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TABLE OF CONTENTS
SECTION I

1. Criminology Wordlist
2. Criminology (Key Terms)
3. Introduction to Criminology
4. Basic terms of Criminology, Basic concepts
5. Nature & scope of criminology
6. Criminal law, its types & objectives
7. Crime & its etymology, crime as a social problem
8. Concepts of deviances,
9. Theories of deviances, Sin, Vice & Crime
10. Criminal behaviour, causes & theories, norms & values
11. White collar crime, organised crime & corporate crime
12. Classical school of thought & positivist school of thought
13. Crime & punishment in Islam
14. Social disorganization theory
15. Strain theory
16. Social control theory
17. Leaning theory

SUGGESTED WEBSITES FOR CRIMINOLOGY

1) International Society of Criminology (ICS): http://www.isc-sic.org/
2) American Society of Criminology (ASC): http://www.asc41.com/
3) British Society of Criminology (BSC): http://www.britsoccrim.org/
4) European Society of Criminology (EC): http://www.esc-eurocrim.org/
5) International Police Executive Symposium (IPES): http://www.ipes.info/
6) Asian Criminological Society (ACS): http://www.ntpu.edu.tw/college/e4/acs/home.php
7) Asian Association of Police Studies (AAPS): http://www.aaps.or.kr/
8) Campbell Library: http://www.campbellcollaboration.org/library.php
9) UNAFEI (Japan): http://www.unafei.or.jp/english/
10) Pakistan Society of Criminology (PSC): http://www.pakistansocietyofcriminology.com/
11) South Asian Society of Criminology and Victim-ology (SASCV): http://www.sascv.org/

CRIMINOLOGY WORD LIST

1. **Law** The collection of rules imposed by authority
2. **Statutory law** The body of laws created by legislative statutes
3. **Penal code** The legal code governing crimes and their punishment
4. **Case law** A law established by following earlier judicial decisions
5. **Common law** A law established by following earlier judicial decisions
6. **Rule of law** A state of order in which events conform to the law
7. **Jurisprudence** The branch of philosophy concerned with the law
8. **Criminal law** The body of law dealing with crimes and their punishment
9. **Civil law** The legal code of ancient Rome
10. **Tort** A wrongdoing for which an action for damages may be brought
11. **Administrative law** The body of rules and regulations and orders and decisions created by administrative agencies of government
12. **Precedent** An example that is used to justify similar occurrences
13. **Felony** A serious crime, such as murder or arson
14. **Misdemeanor** A crime less serious than a felony
15. **Offense** A failure to show regard for others
16. **Infraction** A crime less serious than a felony
17. **Treason** A crime that undermines the offender's government
18. **Espionage** The systematic use of spies to obtain secrets
19. **Actus reus** Activity that transgresses moral or civil law
20. **Mens rea** Criminal intent
21. **Criminal negligence** (law) recklessly acting without reasonable caution and putting another person at risk of injury or death (or failing to do something with the same consequences)
22. **Motive** The reason that arouses action toward a desired goal
23. **Concurrence** The property of two things happening at the same time
24. **Ex post facto** Affecting things past
25. **Elements** Violent or severe weather
26. **Corpus delicti** The body of evidence that constitute the offence
27. **Islamic law** The code of law derived from the Koran and from the teachings and example of Mohammed
28. **Tazir crime** Minor crimes committed by Muslims
29. **Defense** The act of defending someone or something against attack
30. **Alibi** Proof that someone accused of a crime could not have done it
31. **Justification** The act of defending or explaining by reasoning
32. **Excuse** A defense of some offensive behavior
33. **Self-defense** The act of defending yourself
34. **Entrapment** Missing
35. **Double jeopardy** The prosecution of a defendant for a criminal offense for which he has already been tried; prohibited in the fifth amendment to the united states constitution
36. **Substantive** Having a firm basis in reality and therefore important
37. **Inchoate** Only partly in existence; imperfectly formed
38. **Culpable** Deserving blame or censure as being wrong or injurious
39. **Collateral** Accompanying; following as a consequence
40. **Estoppel** A rule of evidence whereby a person is barred from denying the truth of a fact that has already been settled
41. **Vagrancy** The state of wandering from place to place
42. **Conspiracy** A plot to carry out some harmful or illegal act
43. **Negligent** Characterized by undue lack of attention or concern
44. **Mitigate** Lessen or to try to lessen the seriousness or extent of
45. **Lewd** Suggestive of or tending to moral looseness

46. **Lascivious** Driven by lust
47. **Duress** Compulsory force or threat
48. **Fraud** Intentional deception resulting in injury to another person
49. **Conflagration** A very intense and uncontrolled fire
50. **Inducement** A positive motivational influence
51. **Incompetent** Not qualified or suited for a purpose
52. **Alter ego** A very close friend who seems almost a part of yourself
53. **Crime** Crime is an act punishable by law; usually considered an evil act. OR Crime is the breach of rules or laws for which some governing authority (via mechanisms such as police power) may ultimately prescribe a conviction.
54. **Aggravated Assault** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
55. **Arson** Any wilful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
56. **Assault (simple)**
    To knowingly or recklessly cause or attempt to cause physical harm to another, but without use of a weapon.
57. **Burglary** Unlawful entry of a structure to commit a felony or a theft.
58. **Disorderly Conduct** Any unlawful breach of the peace.
59. **Driving under the Influence** Driving or operating any vehicle while drunk or under the influence of liquor or narcotics.
60. **Drug Abuse Violations** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs, including opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine)
61. **Drunkenness** Offenses relating to drunkenness or intoxication, not including "driving under the influence"
62. **Embezzlement** The misappropriation or misapplication of money or property entrusted to one's care, custody, or control.
63. **Forgery and Counterfeiting** Making, altering, uttering, or possessing, with intent to defraud; anything false that resembles the original as if it is true (e.g. a document or monetary note)
64. **Fraud** Converting or obtaining money or property by false pretense, including confidence games and the use of bad checks
65. **Gambling** Promoting, permitting, or engaging in illegal gambling
66. **Hate Crime** Also called bias crime, a criminal offense committed against a person, property, or society that is motivated, in whole or in part, by the offender's bias against a race, religion, ethnic/national origin group, or sexual-orientation group
67. **Larceny-Theft** Unlawful taking of property from the possession or constructive possession of another; includes shoplifting, pocket picking, purse snatching, thefts from motor vehicles, thefts of motor vehicle parts and accessories, and bicycle thefts
68. **Liquor Law Violations** Violations of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, or possessing of intoxicating liquor
69. **Manslaughter by Negligence** The death of a person through another person or organization's act of gross negligence
70. **Motor Vehicle Theft** Theft or attempted theft of a motor vehicle
71. **Murder and Non-negligent Manslaughter** Willful (non-negligent) killing of one human being by another
72. **Non-forcible Rape** Unlawful but unforced sexual conduct; includes the crimes of incest and statutory rape

73. **Offenses against the Family and Children** Non-support, neglect, desertion, or abuse of family and children
74. **Prostitution and Commercialized Vice** Sex offenses of a commercialized nature, such as prostitution, procuring, or transporting women for immoral purposes
75. **Rape** Carnal knowledge of a person, forcibly and against that person's will; in non-forcible rape, the victim is incapable of giving consent because of a temporary or permanent mental or physical incapacity or because of his/her youth
76. **Robbery** Taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear
77. **Sex Offenses** Statutory rape and offenses against chastity, common decency, morals, and the like, including voyeurism, forcible sodomy, and forcible fondling
78. **Stolen Property** Buying, Receiving, Possessing: Knowingly buying, receiving, and possessing stolen property
79. **Vandalism** Willful or malicious destruction, injury, disfigurement, or defacement of any public or private property, real or personal, without consent of the owner or persons having custody or control
80. **Weapons Law Violations** Violation of laws or ordinances dealing with regulatory weapons offenses, including unlawful manufacturing, selling, or possession of deadly weapons; carrying deadly weapons, concealed or openly; and furnishing deadly weapons to minors

KEY TERMS FOR CRIMINOLOGY

1. **Accountability:** this is a mechanism whereby a person or agency is required to answer to other people or agencies in respect of the actions they intend to take or which have already been undertaken.
2. **Anomie:** this refers to a state of social indiscipline in which the socially approved way of obtaining goals is subject to widespread challenge resulting in the law being unable to effectively maintain social cohesion. The concept was developed by Emile Durkheim and subsequently advanced by Robert Merton whose key difference was the circumstances under which a state of anomie arose.
3. **Attrition**: attrition in criminal justice refers to the number of crimes that are committed and the number that end with the perpetrator of the offence being convicted. This gap occurs because there are a number of stages in the criminal justice process and crimes are weeded out at each stage so that the number of convictions represents only a small proportion of crime that has been committed.
4. **Bifurcation:** this refers to sentencing policy that embraces a 'twin-track' approach whereby serious offences receive severe penalties (such as long terms of imprisonment) and less serious crimes are responded to leniently (by responses such as non-custodial sentences served in the community).
5. **'Big Society':** this approach was associated with the 2010 Coalition government and was based on the concepts of empowerment and voluntarism whereby communities would be encouraged to provide a range of services themselves. One advantage of this from the government's perspective was that it facilitated a reduced level of public expenditure.
6. **Broken windows:** this refers to a view, put forward by Wilson and Kelling in 1982, that it is necessary to take firm action to enforce the law against low level crime (characterized by vandalism and graffiti) which gives the impression that nobody cares about the neighbourhood and has a detrimental impact on neighbourhood cohesion.
7. **Classicist criminology:** this approach to the study of crime emphasized the importance of free will and viewed a criminal act as one that had been consciously

carried out by its perpetrator having rationally weighed up the advantages and disadvantages of undertaking the action. The main focus of classicist criminology was on the reform of the criminal justice system

8. **Code for Crown Prosecutors:** this is prepared by the Director of Public Prosecutions and gives guidance to solicitors working for the Crown Prosecution Service concerning the general principles to be followed when making decisions concerning whether or not to prosecute. The Code also puts forward guidelines to aid decisions as to what precise charge should be brought against a person who is being proceeded against
9. **Code of Professional Standards for Police Officers:** this sets out standards for the standards of professional behaviour that are expected from police officers, the breach of which constitutes a disciplinary offence that could lead to dismissal. This replaced the Police Code of Conduct in 2006.
10. **Code of Hammurabi** The first written criminal code developed in Babylonia about 2000 B.C.
11. **Cold case review**: this practice entails the police investigating unsolved crimes that occurred some time in the past in the hope that developments in forensic science (especially in connection with DNA profiling) will result in a conviction.
12. **Community penalties:** these embrace non-custodial responses to crime that are served by offenders within their communities. The 2003 Criminal Justice Act provided for community orders that enabled sentencers to prescribe a wide range of requirements to address an individual's offending behaviour.
13. **Contestability**: this entails a mixed economy of service delivery whereby services can be delivered by public, private or third sector providers. This approach was developed in connection with the purchase of correctional services that were designed to tackle recidivism and was subsequently promoted in connection with local government by the 2006 White Paper, *Strong and Prosperous Communities*.
14. **Conflict View** The belief that criminal behavior is defined by those in power in such a way as to protect and advance their own self-interest.
15. **Consensus View** The belief that majority of citizens in a society share common values and agree on what behaviors should be defined as criminal.
16. **Crime and disorder reduction partnerships (CDRPs)** The 1998 Crime and Disorder Act placed a statutory duty on police forces and local authorities (termed 'responsible authorities') to act in cooperation with police authorities, health authorities and probation committees in multi-agency bodies which became known as crime and disorder reduction partnerships (CDRPs). In Wales CDRPs are termed community safety partnerships and this title has since been adopted widely throughout England. The role of these partnerships was to develop and implement a strategy for reducing crime and disorder in each district and unitary local authority in England and Wales.
17. **Critical Criminologists** Members of a branch of criminology that focuses on the oppression of the poor, women and minorities thereby linking class conflict, sexism and racism to crime rates. They examine how those who hold political and economic power shape the law to uphold their self-interests.
18. **Crime** An act, deemed socially harmful or dangerous, that is specifically defined, prohibited and pushed under the criminal law
19. **'Cuffing':** this practice entails a police officer either not recording a crime that has been reported or downgrading a reported crime to an incident which can be excluded from official statistics.
20. **Cybercrime:** this term broadly refers to crime involving the use of computers. There are two main forms of computer-related crime – computer-assisted crime involving the use of computers to perform crimes that pre-dated their existence such as fraud or theft, and computer-focused crime that refers to the emergence of new crimes as the result of computer technology.

21. **'Dark figure' of crime:** this term refers to the gap between the volume of crime that is actually committed in society and that which enters into official crime statistics. This discrepancy is explained by the nature of the process of crime reporting which consists of a number of stages, each of which acts as a filtering process progressively reducing the number of crimes that are officially reported.
22. **Deviancy:** this refers to actions committed by individuals to which society reacts in a negative way, even though these acts are not necessarily illegal. Those who carry them out may thus encounter hostility from their fellow citizens resulting in their ostracism from society.
23. **Director of Public Prosecutions (DPP):** this office was created by the 1879 Prosecution of Offences Act. The role of this official was to initiate and carry out criminal proceedings and to advise and assist other officials (such as police officers) concerning the prosecution of offences. The 1985 Prosecution of Offences Act made the DPP head of the newly created Crown Prosecution Service that henceforth became responsible for the conduct of criminal proceedings.
24. **Discretion:** this refers to the ability of an official, organization or individual to utilize their independent judgement to determine a course of action (or inaction) to be pursued in connection with an event that they encounter when exercising their professional duties.
25. ***Doli incapax***: this term applies to those who have committed crime but, because of their age, cannot held responsible for it because they are considered insufficiently mature to be able to discern right from wrong. Currently, children below the age of 10 (the age of criminal responsibility) are deemed to be in this situation. Formerly children aged 10–13 were also in this position, but this presumption was ended by the 1998 Crime and Disorder Act.
26. **Economic crime:** this term refers to a range of activities that include bribery, corruption, cybercrime, money laundering and various forms of fraud that are associated with white-collar crime, middle-class crime and organized crime and which particularly impose a burden on business enterprise.
27. **Estate rationalization**: this entails criminal justice agencies reducing the amount of property that they occupy. This can result in closures of premises such as police stations and magistrates' courts (thus saving on their running costs) and may be accompanied by *co-location* which entails a number of criminal justice agencies operating from the same premises. This approach has been pursued since 2010 as a cost-cutting measure.
28. **Home detention curfew:** this was introduced in 1999 to provide for the early release of short-term prisoners serving sentences between three months and less than four years for the last two months of their sentence provided that they stayed at an approved address and agreed to a curfew (usually from 7 p.m. to 7 a.m.) monitored by an electronic tag. This would last for a minimum of 14 days and a maximum of 60 days. Those who breached the conditions of their curfew or who committed another offence while on curfew were returned to prison.
29. **Home Secretary:** this minister heads the Home Office (or Home Department) and is in charge of a wide range of matters affecting the internal affairs of the United Kingdom. This includes exercising ultimate responsibility for the police service and the maintenance of national security. The duties of this role were re-vamped when the Home Office was split in 2007 with some of its functions (including responsibility for prisons) being transferred to the newly-created Ministry of Justice.
30. **Human rights:** these consist of basic entitlements that should be available to all human beings in every country. Unlike civil rights (that are specific to individual countries), human rights are universal in application. A full statement of human rights is to be found in the European Convention for the Protection of Human Rights and Fundamental Freedoms (1950).
31. **Institutional racism**: this refers to the use of discriminatory practices against members of minority ethnic groups by an organization. The term is capable of a

number of definitions that include discrimination that is derived unwittingly from an organization's culture and working practices.

32. **Interactionist View** The belief that those with social power are able to impose their values on society as a whole and these values then define criminal behavior
33. **Joined-up government:** this approach seeks to enhance the level of coordination between the various agencies whose work is of relevance to crime and disorder. Joined-up government suggests that crime can be reduced by managerial improvements affecting the way in which the criminal justice system operates.
34. **Judicial review:** this is a legal procedure whereby the court is able to strike down an action undertaken by any public body, including the executive branch of government, for reasons that include the correct procedures that are laid down in law have not been followed in reaching the decision.
35. **Justice model:** this refers to an approach to the punishment of offenders that is underpinned by reductivist rather than rehabilitative ideals. In particular it seeks to ensure that punishments reflect the seriousness of the crime that has been committed. Other features of the justice model emphasize the desirability of consistent sentences (especially by curbing the discretion of officials working in criminal justice agencies) and the need for the criminal justice process to effectively protect the accused's rights.
36. **Lethal force:** this refers to an intervention by a police officer that is likely to cause the death or serious injury to a person on the receiving end. Lethal force is delivered by armed police officers whose decision to shoot a suspect is based on the belief that this is the only way guaranteed to protect themselves and other members of the general public.
37. **Mandatory sentence:** this imposes an obligation on sentencers (magistrates or judges) to hand out a stipulated sentence – murder, for example, carries a mandatory sentence of life imprisonment. The present raft of mandatory sentences was considerably added to in the 1997 Crime (Sentences) Act and subsequent legislation.
38. **Ministry of Justice:** this government department replaced the Department for Constitutional Affairs in 2007 (which in turn had replaced the Lord Chancellor's Department in 2003). It is responsible for a wide range of agencies and services that operate within the criminal justice system including HM Prison Service and HM Courts and Tribunals Service.
39. **Moral panic:** this refers to a process in which a specific type of crime is focused upon by the media in order to whip up public hysteria against those who are identified as the perpetrators. The aim of this is to secure widespread public approval for the introduction of sanctions directed against the targeted group.
40. **Mosaic Code** The laws of ancient Israelites, found in the old testament of the Judeo-Christian Bible. Same laws found in United States. Basis for United States Legal System
41. **New deviancy:** this approach emphasized the social construction of crime and deviancy which arose as the result of a negative reaction from society to a particular act. New deviancy theory concentrated on social reaction to activities which were labelled as 'deviant' rather than seeking to discover their initial causes. Labelling theory is an important aspect of new deviancy theory.
42. **New public management:** this approach towards the delivery of services by the public sector emphasized the importance of public sector organizations providing value for money and sought to reorganize the operations of public sector agencies through the use of management techniques associated with the private sector such as the use of performance indicators and business plans. This approach was associated with a shift towards organizations attaining centrally determined objectives at the expense of compliance with bureaucratic rules and procedures.
43. '**Nothing works':** this approach stemmed from an article written by Robert Martinson in 1974 that asserted programmes and interventions that were designed to rehabilitate offenders had largely failed to achieve this objective. They hadn't

worked. The apparent failure of the rehabilitative ideal helped to popularize criminal justice interventions of a more punitive nature regardless as to whether they aided the reform and rehabilitation of offenders.

44. **OASys:** OASys is the Offender Assessment System that is designed to assess the level of risk posed by all offenders aged 18 and over. It is used by both the Prison and Probation Services.
45. **Panopticon:** in 1791 Jeremy Bentham wrote a three-volume work, *The Panopticon*, in which he devised a blueprint for the design of prisons which would enable them to bring about the transformation of the behaviour of offenders. Central to his idea was the principle of surveillance whereby an observer was able to monitor prisoners without them being aware when they were being watched. The design of Millbank Penitentiary and Pentonville Prison adopted many of the features of Bentham's panopticon.
46. **Penal populism:** the terms 'penal populism' or 'populist punitiveness' were coined during the 1990s. They emphasize the need to adopt a harsh approach towards those who carry out crime. Governments following this course of action do so as they believe that the approach of 'getting tough with criminals' is viewed favourably by the general public.
47. **Penology:** this term refers to the study of the way in which society responds to crime. It covers the wide range of processes that are concerned with the prevention of crime, the punishment, management and treatment of offenders and the measures concerned with reintegrating them into their communities.
48. **Plural policing:** this entails an enhanced role for organizations other than the police service in performing police-related functions. Those performing this work effectively constitute a second tier of police service providers and the organizations supplying work of this nature may be located in either the public or private sectors.
49. **Police and Crime Commissioners (PCCS):** the 2011 Police Reform and Social Responsibility Act provided for the replacement of police authorities with directly elected PCCs, for each of the 41 forces covered by the legislation (the Metropolitan Police Service and the City of London Police force not being covered by the Act). These officials were designed to replace bureaucratic accountability (that had previously been imposed by a centrally-directed target regime) with local political control to ensure that policing responded to the concerns of neighbourhoods.
50. **Political spectrum:** this is a model which places different political ideologies in relationship to each other, thereby enabling their differences and similarities to be identified. Ideologies are placed under the broad headings of 'left', 'right' and 'centre', indicating the stances they adopt towards political, economic and social change – the right opposes this, the left endorses it and the centre wishes to introduce changes of this nature gradually within the existing framework of society. When applied to criminology, the terms 'left' and 'right' are especially employed to describe progressive and retributive stances towards the aims of punishment.
51. **Positivist criminology:** this approach to the study of crime adopts a deterministic approach whereby offenders are seen as being propelled into committing criminal acts by forces (that may be biological, psychological or sociological) over which they have no control. Positivist criminology also insists that theories related to why crime occurs should derive from scientific analysis.
52. **Pre-sentence report:** this is a report that provides information to sentencers regarding the background of an offender and the circumstances related to his or her commission of a crime. It is designed to ensure that a sentence of the court is an appropriate response to the criminal action that has been committed. Pre-sentence reports are prepared by the Probation Service.
53. **Privatization:** this approach was favoured by new right governments and was consistent with their belief in the free market. It entails services previously performed by the public sector being transferred to private sector organizations. These services are either totally divorced from government henceforth, or are

contracted out and are thus periodically subject to a process of competitive tendering by bodies wishing to deliver them. This latter process is termed 'outsourcing'. The main reason for pursuing this approach is a presumption that it delivers services more cheaply than the public sector.

54. **Problem-oriented policing (POP):** this is a method of policing that seeks to tackle the root causes of recurrent problems as opposed to an approach whereby the police react to each manifestation of them. POP emphasizes the importance of identifying and analysing recurrent problems and formulating action to stop them from occurring in the future. Problem-oriented policing emphasizes the multi-agency approach to curbing crime, whereby activities directed at crime involve actions undertaken by a range of agencies and not by the police alone.
55. **Reactive policing:** this is a style of policing (that has also been dubbed 'fire brigade policing') in which the police respond to events rather than seeking to forestall them. This method of policing tends to isolate the police from the communities in which they work and tends to promote the use of police powers in a random way based on stereotypical assumptions. This style of policing was widely regarded to have been a significant factor in the riots that occurred in a number of English cities in 1981.
56. **Reassurance policing**: the key aim of this style of policing is to combat the fear of crime by making people feel safer in their neighbourhoods. It is associated with a constant uniformed presence in a locality whose key purpose is to tackle low level crime and disorder that creates feelings of insecurity amongst residents. The reassurance agenda was promoted in the early years of the twenty-first century and is especially associated with neighbourhood policing that was rolled out across England and Wales in 2008.
57. **Recidivism:** this refers to the reconviction of those who have previously been sentenced for committing a crime. It is an important measurement of the extent to which punishment succeeds in reforming the habits of those who have broken the law.
58. **Reductivism:** this term refers to methods of punishment that seek to prevent offending behaviour in the future. Punishment is designed to bring about the reform and rehabilitation of criminals so that they do not subsequently indulge in criminal actions.
59. **Responsibilization:** this entails governments shifting the task of crime control from the central state to the local level where it is carried out by a range of actors including local government, private and voluntary sector bodies and the general public. Crime and disorder reduction partnerships are an important example of this process in operation.
60. **Restorative justice**: a key aim of restorative justice is to enable a person who has broken the law to repair the damage that has been caused to the direct victim(s) and to society at large. The main intention of this process is to enable the offender to become reintegrated into society. This approach is popular with the 2010 Coalition government as it is a cost-effective response to crime.
61. **Retributivism:** this term embraces responses to crime that seek to punish persons for the actions they have previously committed. Punishment is justified on the basis that it enables society to 'get its own back' on criminals, regardless of whether this has any impact on their future behaviour.
62. **Risk:** this term refers to the role that criminal justice policy accords to securing public safety. Agencies operating within the criminal justice system have increasingly formulated their interventions on the basis of predictions regarding the extent to which the future behaviour of offenders was likely to jeopardize communal safety. Attempts to assess the future risks posed by offenders have given rise to actuarial penal techniques.
63. **Routine activities theory**: this concept was developed by Marcus Felson and Lawrence Cohen in 1979. It is based upon rational choice theory and suggested that three factors were necessary for crime to occur – a motivated offender, a suitable

target and the absence of a capable guardian. It was put forward as one explanation of repeat victimization.

64. **Rule of law:** this constitutional principle asserts the supremacy of the law as an instrument governing the actions of individual citizens in their relationships with each other and also controls the conduct of the state towards them. In particular it suggests that citizens can only be punished by the state using formalized procedures when they have broken the law, and that all citizens will be treated in the same way when they commit wrongdoings.
65. **Sentencers:** this term applies to officials who deliver society's response to crime through the courts over which they preside. In the criminal justice system these comprise judges and magistrates.
66. **Sentencing Tariff**: the tariff sets the level of penalty that should normally be applied by sentencers to particular crimes. In the case of murder, the tariff was the period that had to be served in prison in order to meet the requirements of retribution and deterrence. In 2002 the Sentencing Advisory Panel recommended that the phrase 'minimum term' should be substituted for 'the tariff' in these cases.
67. **Separation of powers:** this concept suggests that each of the three branches of government (the executive, legislature and judiciary) should perform a defined range of functions, possess autonomy in their relationship with the other two and be staffed by personnel different from that of the others. This principle was first advocated by Baron Montesquieu in his work *De l'Esprit des Lois*, written in 1748, whose main concern was to avoid the tyranny that he believed arose when power was concentrated in the executive branch of government. Although total separation of the three branches of government is unworkable in practice, the judiciary in England and Wales have historically enjoyed a considerable degree of autonomy.
68. **Situational crime prevention:** this approach to crime prevention entails manipulating the immediate environment to increase the effort and risks of crime and reduce the rewards to those who might be tempted to carry out such activities. The situational approach is heavily reliant on primary prevention methods and is contrasted with social methods of crime prevention that seek to tackle the root causes of criminal behaviour, typically through social policy.
69. **Social disorganization:** this approach to the study of crime was associated with the Chicago School of Human Ecology. It suggests that crime was an ever-present feature of a specific geographic area of a city that Ernest Burgess in 1925 had termed 'zone two' or the 'zone of transition'. It was characterized by rapid population change, dilapidation and conflicting demands made upon land use. The absence of effective mechanisms of social control was viewed as the main reason for this area of the city being a constant crime zone.
70. **Social methods of crime prevention:** social crime prevention is based upon the belief that social conditions such as unemployment, poor housing and low educational achievement have a key bearing on crime. It thus seeks to tackle what are regarded as the root causes of crime by methods that seek to alter social environments.
71. **Social strain theory:** this explanation of crime was developed by Robert Merton whose ideas were originally put forward in 1938. He asserted that anomie arose from a mismatch between the culturally induced aspirations to strive for success (which he asserted in Western societies was the pursuit of wealth) and the structurally determined opportunities to achieve it. Social inequality imposed a strain on an individual's commitment to society's success goals and the approved way of attaining them, and resulted in anomie which was characterized by rule-breaking behaviour by those who were socially disadvantaged.
72. **Standards of Professional Behaviour for Police Officers:** this sets out the standards of professional behaviour expected of police officers, the breach of which constitutes a disciplinary offence that in extreme cases can result in dismissal from

the police service. It was formerly known as the Police Code of Conduct (and before that as the Police Disciplinary Code).

73. **Taken into consideration (TIC):** this term (that is also referred to as 'write-offs') entails an offender who has been apprehended for committing a crime confessing to others. He or she is not specifically charged with these additional offences and may suffer no further penalty for these admissions. The system has been criticized for being a means whereby police officers artificially boost their force's detection rates through confessions from criminals that are not always reliable.
74. **'Third sector'**: this term applies to organizations that do not operate in the public or private sectors. It embraces a range of voluntary organizations, charities, community organizations operated by volunteers and cooperative ventures.
75. **Tripartite system of police governance:** this term denotes a three-way division in the exercise of responsibility over police affairs shared between police authorities, the Home Secretary and chief constables. This system was initially provided for in the 1964 Police Act. The 2011 Police and Social Responsibility legislation replaced police authorities with directly elected Police and Crime Commissioners.
76. **Victimology:** this aspect of criminology concerns the study of victims of crime. In particular it seeks to establish why certain people become victims of crime and how personal lifestyles influence the risk of victimization.
77. **What works ?** This agenda emphasized the importance of evidence-based solutions to problems and issues facing the criminal justice system. Typically, a policy would be piloted, its operations would be subject to evaluation and, if deemed successful, would then be rolled out nationally.
78. **White-collar crime:** as initially defined by Edwin Sutherland, this term referred to crimes committed by respectable persons within the environment of the workplace. Subsequent definitions have differentiated between illegal actions carried out in the workplace that are designed to benefit the individual performing them, illicit actions that are intended to further the interests of a commercial concern carried out by its employees, and criminal activities by persons of 'respectable' social status to further their own interests but which are not performed in the workplace (such as tax evasion and insurance fraud).
79. **Youth Rehabilitation Order**: this form of community penalty for offenders below the age of 18 was introduced by the 2008 Criminal Justice and Immigration Act. It was modelled on the community order that was introduced in relation to adult offenders by the 2003 Criminal Justice Act and embraces a wide range of requirements that can be imposed on a juvenile offender.
80. **Zero tolerance:** this approach is most readily identified with a style of policing that emphasizes the need to take an inflexible attitude towards law enforcement. It is especially directed against low level crime and seeks to ensure that the law is consistently applied against those who commit it. Unlike problem-oriented policing, it does not require the involvement of agencies other than the police to implement.

CRIMINOLOGY AND ITS HISTORY

AN ANALYSIS OF CRIMINOLOGY AND ITS HISTORY

Legally speaking, a **crime** is an act that is punishable by law. A person is called **criminal** who has committed such a legally prohibited act. But still there are some other criteria based on which a person is determined as a criminal or not a criminal.

Criminology is considered as the scientific study which relates both the individual and society to the criminal behavior, including the nature, extent, causes, and control of this behavoir. Since Criminology is fueled from different field like behavioral sciences, sociologists (especially the sociology of deviance) , social anthropologists and law therefore it is an interdisciplinary field in these academic fields.

In 1885, an Italian law professor Raffaele Garofalo was the first one who coined the term criminology as 'criminologia'. But later, analogous French term 'criminologie' was used by French anthropologist Paul Topinard around the same time.

HISTORY: In the mid-17th century, criminology came into existence when social philosophers started thinking about the crime and concepts of law. Historically, criminologists have written very little about the subject of philosophy. Similarly the philosophers have not written much about the crime and criminology field. Due to which, an implicit gap is created between philosophy and criminology which has been absent either in the theoretical assumption of criminologists or in the more general metaphysical , ethical and legal writing of philosopher. However, one thing is sure throughout the history that law and justice were the most important concerns of the philosophers (e.g. Solomon and Murphy1990; Friedrich 1963).

Many of the most important philosophers minds, from Plato, Thomas Aquinas and Saint Augustine, to Immanuel Kant, Jeremy Bentham, Cesare Beccaria, have dealt with the complexities of social obligation, social offence, social control and societal response to crime openly and intensely.

Indeed, crime, as it seems, was never considered properly as philosophical issue. But, at various points in time in the history, one can find that the subject of criminal behavior was considered by the philosophy, medical philosophy, theology and as well as by ethics where it was considered as a subset of immoral conduct,. But still crime remained noticeably absent from the most important philosophical theories that is the general ontological, epistemological, ethical and aesthetical analysis. These theories might suggest new viewpoints and different directions for its general comprehension as well as specific applications of it in law and justice studies.

Similarly the field of philosophy and its corresponding intellectual subfields (i-e ontological, epistemological, ethical and aesthetical) never considered the criminological concerns properly. Therefore criminology evolved into an increasingly interdisciplinary as an independent field having its own scholars and practitioners where philosophy and criminology were regarded as distinct and unrelated subject perhaps.

But still it can be seen that criminology and philosophy were related to each other in number of ways and the junction of criminology and philosophy were described by scholars in both camps.

The aim is not to fill the gap between the two. But the above discussion is provided in order to understand how the two field were dealt before and how they created a relation to each

other.

CRIME IN PHILOSOPHY: For many years, philosophy and social science were one and the same. The philosophers associated with psychology, sociology and criminology (called psychologist, sociologist, and criminologists of ancient times) and from the Middle Ages were confined to these fields because they entertained only those sorts of questions which were related to their specific field. It was then that these sorts of questions, during the subsequent historical periods, became a part of specific academic disciplines.

Therefore after the affiliation of the criminology with different disciplines, the philosophers, of these disciplines, started to examine the essential questions of criminology that is what is crime, why and what reasons make people to commit crimes, why certain people have a criminal behaviour, and how system of justice should take action against the lawbreakers.

When we look at most of the books on criminology or criminological theory, they begin their historical description from the Cesare Beccaria (Beccaria 1764) philosophy. Until then, throughout the years of Western philosophy, crime, law and justice were at least implicit topics that precede him.

Criminology and its Philosophical consideration can be traced back to Plato at least, and after this era comes the Middle Ages where the criminology became the subject of theological concerns , later entered to the cause-effect discourse of modernity through the meditative thinking of Beccaria and Bentham. After the modernity it entered to the scientific discourse of the early biological positivists and then finally to the post modernity.

Although crime is social fact, but still the particular realities of crime are relative to time and place. Therefore whatever speculation, implicit or explicit, might be derived from Plato or Kant, the philosophy of crime in ancient Greece or 18 century German was radically different in western world from what we find today.

MIDDLE AGE: In Middle Ages, there was a profound influence of the theology on human conceptualization of the world. The Middle Ages observed the end of the Greek-inspired "crime as vice" philosophy and thereafter the theological-inspired "crime as sin" philosophy was emerged.

Both human world and social life, throughout the Middle Ages, were considered to be characterized by a constant struggle where the forces of good and evil were uneven and were against one another. There was only one important respect the "soul", in which the Middle Ages was different. The soul was associated more directly to the supernatural power.

For example according to St. Thomas Aquinas,
"the soul was gift from God, implanting within humans a likeness to His ultimate reason".

Therefore, a sinful disobedience shows a failure to responsibly use God-gifted powers of reason and choice. Crime-as-evil took place due to the human appetites, towards worldly pleasures, were tempted by the demon to defeat our conscience embodied in our God-given soul (Enstadter and Henry 1995, p 34-35).

RATIONAL HEDONISM (THE EMERGENCE OF MODERNITY)
The philosophical thinking about crime law and justice remained the same until 17th and 18th centuries, and during these centuries a significant shift in the philosophical thinking about the crime, criminal behavior and justice occurred. The general intellectual environment of the Enlightment and the criminological cohesion in the legal philosophies of Beccaria (1763) and Bentham (1996) were the origin for this philosophical shift. It is understood that the modern criminology started in mid 18th century. Since the classicism presented the criminology in

perspective of human nature and behavior which was largely free of theological influence, and therefore established the locus of crime in individual thoughts and reasons instead. Which means that the classicism philosophical thinking, which was rooted in the principle of rationality, highlights personal responsibility, free choice, and hedonistic calculation, rather than putting the human nature and behavior, which was only confined to the supernatural power determination or related to the external struggle that existed between the forces of good and evil.

The utilitarian philosophical thinking of the classicism is considered a metaphysical departure from metaphysical philosophy that was largely inspired form the theology field of the Middle Ages.

Most of the people are frightened when they first come across with theory, but still we use theories on daily basis. In our daily life we contact with many things therefore we all make assumptions about things. Theories devise some logical constructions in order to explain the natural phenomena. Although sometimes these phenomena are not observable directly, but still can be refuted or supported by some empirical findings.
Therefore hypotheses are used to create a relation between theory and empirical research. And these hypotheses are testable suggestions that are logically derived from theories.

The testable part of every theory is very significant because scientific hypotheses should be capable of being accepted or rejected.

CLASSICAL: Classical criminology was presented in a reaction to the barbaric system of law, justice and punishment that existed before 1789. It emphasizes largely on human rationality and free will. The Classical School was more interested in law-making and legal processing rather than studying criminals. This school of thought believed that engagement in any crime was because of the total free will and that individuals evaluated the consequences of their actions. Therefore to prevent people from committing any crime or criminal activity, Punishment is made and it must be larger than the enjoyment of criminal gains. That is why rather than defining the criminal behavior, the classical school emphasized more on the legal definition of crime. Cesare Beccaria (1738-1794) and Jeremy Bentham (1748-1832) were the two famous writers during this classical period, both were the leaders of the movement to human rights and free-will.

The Enlightment paradigm emphasized more on the free will, and self determination in human behaviour and knowledge form which the classical paradigm appeared.

Since the Classical theory of philosophy, in criminology, is emerged from the 18th century theories presented by English philosopher, Jeremy Bentham and an Italian economist, Cesare Beccaria. Therefore at time in history the punishment for crime was severe, and both of the philosophers presented the theory of utility. At that time the causes of criminal and delinquent behavior of the human was looked by new theorists (like Beccaria and Bentham), and started explaining such deviance scientifically. Theories such as naturalism and demonology, which were presented by the European Enlightenment paradigm as explanations for these behaviors, were rejected by those theorists. So these new theories were more related to the philosophy of rationalism and humanitarianism of the Age of Enlightenment.

Beccaria did not present an entirely new theory in the field of criminology, but rather he wanted to make a more rational punishment for a crime. He believed that the punishments should be in hierarchal form depending on the number of times a criminal had been charged previously and more on the severity, and seriousness of the crimes. He believed that conditions under which the death penalty was given should completely depend on the severity of the crime and it should not depend on actual act committed or the level of

involvement in the act. In 1764 his book "An Essay on Crimes and Punishment" was published, in which he discussed that why crime occurs and what is the role of society in committing such crimes. He argued that all the people should be treated equally by the law and to avoid the misuse of judicial power then the punishments for particular crimes must be standardized by legislatures.

Jeremy Bentham (1748-1832), another classical theorist like Beccaria also argued that humans are rational beings who make choices by exercising their free will. Thus,both of these philosophers argued that a pain involved in the potential punishment for a crime must be greater than any pleasure in that crime in order to stop the people from commiting such a crime for that pleasure.

Utilitarianism was the major concern of Bentham. He believed that individuals are more concerned about the probabilities of the present and future pleasures rather than considering their pains in present and future time. Therefore he believed that human calculators are calculators that act according to calculations, and that they use a sort of mathematical equation for all factors to make a decision whether to commit an illegal act or not. The law is made to make all people happy happiness at all and so that they can live a pleasurable life, on the other hand punishment creates unhappiness but a justification for this punishment is that it prevents greater evil that it produces as a consequence.

The **early nineteenth century** criminologists stated that the philosophy of legal punishments presented by the classical school did not adequately consider the generally varying circumstances of those who were involved in criminal justice system. Therefore, these criminologists argued that those people who are unable to differentiate between right and wrong, especially children and mentally ill persons, must not be punished with the same punishment for the crime as normal and mentally capable adults who had committed the same crimes are punished. Along with the contributions from the positivists, a later generation of criminologists, these philosophers argued that the punishment for a crime must fit the criminal, not the crime itself.

The criminal justice policies were greatly changed by Beccaria's theory, especially in France, and it was expected that it would soon decrease the crime rate. But actually this was not found in any way whether this occurred or not, because there were no statistics about annual crime rate to measure whether it was going up or down.

In 1827 about sixty years after Beccaria wrote his book, France published its first annual **national crime statistics**. These statistics showed clearly that crime rate were surprisingly regular. The crime rates for general and for specific crimes such as rape and murder remained the same from year to year. Also, some regions in the country had higher crime rates than some other regions and these differences also remained the same from year to year.
The new crime statistics clearly exposed that the classical punishment policies and philosophy are failed in stopping the crime form being committed, and at the same time these suggested that there were some other factors in the society that had a greater influence on the crime in society.

Due to this shift in philosophical thinking gave birth to a new paradigm of criminology, which was known as **positivism**. The aim of this paradigm was to study the causes of crime either in the individual or in the larger society.

POSITIVISM:
Later, the positivist school of thought in the field of criminology introduces a scientific approach to the field of criminology, and they also included the biological and medical findings in this approach.

In the 19th century, the positivist school of thought came into existence due to the "scientific revolution," especially Charles Darwin discoveries and following scientific advancements. A search for the most important and basic questions about human beings and the universe around them was started and presented by using the "objective" science, instead of using religious and theological beliefs or "arm-chair" philosophy.

Positivists, unlike the classical philosophers, wanted to explain the universe around them objectively. The positivist presented the deterministic view of the world, to explain the criminal behavior rather considering the legal issues, and believed that the crime could be prevented through the treatment of offenders or through the or reformation of the offenders. They observed that the biological, psychological, and social qualities determined the criminal behavior. Therefore the positivists were interested in use of scientific techniques to study those behaviors. Data was collected using these scientific techniques to explain different types of social and individuals phenomena.

The positivist used the theory evolution, formed by naturalists and anthropologists, to the study criminal behavior of human beings.
The focus of positivism was on systematic observations and the accumulation of evidences and objective facts within a deductive frame work, therefore moving from a more general statement to a more specific one.

Darwin published his book On the Origin of Species in 1859 (Darwin 1859), in which he stated that "Humans were the same general kind of creatures as the rest of the animals, except that they were more highly evolved or developed."
After the Darwinian Theory, it was started to understand human beings as creatures whose behavior was influenced by biological and cultural background instead of self-determined human beings who acted according to their free will.

This was the time that **the first "scientific" studies of crime and criminal behavior started** to begin.
Positivism describes a method of inquiry that tries to find answers to those questions that are related to the criminal behaviour which is scientific method.

The researcher observes the empirical facts of the real world by testing "hypotheses" to reach the ultimate "truth" and derives "laws" for their research work (e.g. the law of relativity).

The social sciences appreciated this kind of mode of inquiry, presented by positivist, largely through the work of **August Comte** (1798-1857) who is often called the ‘founder of positivism’ as well as the ‘founder of the sociology’ discipline. Comte stated that theological, metaphysical, and positive or scientific are the three stages through which the knowledge passes.

The scientific or positivist is considered the highest or final stage of knowledge, and through this stage of knowledge the human beings are able to find out regularities among different social phenomena to establish the predictability and control.

However, the big **breakthrough in the positivist criminology** came when an Italian doctor **Cesare Lombroso** published his book Criminal Man in 1876 which earned him title of the "father of criminology”.

Cesare Lombroso, was the leading philosopher of positivist school thought who used the concept of determinism to replace the philosophy of free will and rationality.

Lombroso, Influenced by Darwinian theory of evolution, started to calculate the physical features of prisoner and concluded that specific physical characteristics, such as skeletal,

cranial, and neurological malformations were more correlated to the criminal behaviour. In his work, Lombroso discussed the biological aspects of the criminal behavior, and stated that since the physical characteristics determine the criminal behaviour therefore a criminal is "born" that way and can be differentiated from non-criminals according to these physical characteristics. Lombroso called them ‘stigmata or characteristics’.

Lombroso's work was the beginning of the positivist criminology and then it is subdivided into different fields. Today biology (began with Lombroso), psychology, and sociology there are **three major fields** of positivist criminology. Thus, **biological positivism** describes the criminal within the individual by considering its physical structure; **psychological positivism** locates the causes by considering the personality development; whereas the **sociological positivism** sees the causes by looking at the social factors and social structure.

In late nineteenth century, another school of thought came into existence, called **cartographic school**, which developed statisticians work in field of criminology, and analyzed this data on population and crime. The French philosopher Lambert Adolphe Quetelet, (1796-1874), and Belgium philosopher André Michel Guerry belonged to this school of thought. Both of these researchers collected the detailed statistical information about the crime and criminal behavior and also tried to identify and find out the circumstances that made the people to commit crime.

A philosopher named **Emile Durkheim** (1858-1917) also had a great influence on criminology. Durkheim presented the hypothesis about the criminal behavior of people and argued that it is a normal part of all societies. He also argued that there is no such society in this world who has absolute uniformity of moral consciousness.

There is some deviancy in all societies, and that includes the criminal deviance too, or otherwise they will stagnate.

Durkheim also mentioned the ways in which modern and industrial societies play differed role in building the criminal behavior from those societies that were nonindustrial. Individuals in industrial societies possess a behavior called ‘anomie’ by Durkheim which is a Greek word meaning "without norms." Therefore the modern societies needed to develop specialized and specific laws and criminal justice systems that were not important in early societies in order to control behavior.

SOCIOLOGY AND CRIMINOLOGY

In the twentieth century, the most influential approach in the field of criminology was the sociological approach to criminology, which was concerned to the study of social behavior, systems, and structures. Further it was divided into social-structural and social-process approaches in relation to criminology.

SOCIAL-STRUCTURAL CRIMINOLOGY

This approach to criminology inspects the related social circumstances and structures that have a great influence on the criminal behavior. In the 1920s and 1930s, an ecological school of criminology, was developed, through the work of Robert E. Park, Ernest Burgess, and other urban sociologists at the University of Chicago which is known as Chicago school thought.

Human behavior was the main focus of the Chicago school thought, which was determined by social and physical environmental factors, instead of genetic or personal characteristics. The school believed that community was the main factor in the societies that effected human behavior and that the city functioned as a microcosm. An empirical sociology was developed by researchers from this school of thought, in order to study humans' behavior in their natural environment rather than looking at their social environment.

Data related to individual cases combined with population statistics was collected by these theorists which constructed important information and became foundation for criminological theories of today.

The theorists of this school also explain relationship between the crime and social and environmental change. Similarly it also tries to explain why certain regions of a city have more tendencies to attract crime than its other regions. It is found by researchers that urban areas that convert from residential to business uses are mostly targeted by crime.

Yet there exist another school of criminology, included in social-structural approach, known as **conflict school of thought**. It is based on the Marxist theories of philosophy and argued that under the system of capitalism, crime was the ultimate product of conflict between different classes. The conflict theory proposes that the laws and systems of justice in society appear as a conflict instead of consensus. Laws are made by the group of people who are in power in different societies in order to control those who are not in power. Theorists of this school suggest that those who commit crimes are not basically different from the rest of the population. Therefore they maintain instead that to determine that whether a person is a criminal or not mostly depends on the society reactions toward those who deviate from accepted norms. **Conflict theorists and some other theorists** argue that most of the time poor people and members of minorities are considered as criminals as compare to members of the majority and wealthy individuals.

In the early 1970s another philosophical thinking in criminology field came into prominence called **Critical criminology** (also known as **radical criminology**), which was also based on the Marxism. It also tries to explain existing social upheaval. Critical criminology is based on the economic thinking and explains the criminal behavior by considering the economical aspect of the society. Theorists form this school, argues that certain inequalities exist in the economical and social aspect of the society which cause criminal behavior and make the people to commit the crime. It does not focus much on the study of individual criminals and believes that we cannot get rid of the existing crime within the capitalist system. Like the conflict school, it also declares that Laws are made by the group of people who are in power in different societies in order to control those who are not in power and that the state and its legal system exist to advance the interests of the ruling class.

CONCLUSION: According to Edwin H. Sutherland, Criminology is the body of knowledge which considers the crime as a social phenomenon. And the processes of making laws, breaking laws, and the reacting toward the breaking of laws are included in the field of criminology. Criminologists have devises a number of methods of study which vary from social to behavioral sciences. Criminologists, like other scientists, also presented their theories about crime and criminal behavior over time and place. They also used various methods to discuss the characteristics of criminals, criminal behavior, and victims. Different punishments and treatments for different crimes have been presented in societies in order to prevent people from committing these crimes.

Simplicity or complexity of the philosophical theories depends on relationships that are made among different field in formulating these theories.

The matter of truth is that we need theory so as to better understand the function of the world around us. We often recognize what we want to perceive. The behavior of human beings is very complex to study and changes as the time and values of society change, and therefore is almost abstract. Theories related to the criminology are complex, too.

The purpose of these theories is not to observe the individual field of criminology in explaining the causes of criminal activity. But instead, each of the theory tried to explain the big picture of the criminal behaviour and provided ways to prevent it. Combination of

theories will be the most accurate means of explaining both criminality in general and individual crimes in particular.

A number of different aspects of criminal justice policy have been presented throughout the history. The Classical School of criminology presents theories that evolved from a capital punishment type of view to more humanitarian based punishment of people.

Positivist criminology stresses on the control of human behavior and criminal behaviour. This school of thought provides Biological theories, Psychological theories, and the Sociological theories, the three different types of theories to explain the criminal behaviour. Therefore in criminology, the role of theories is very significant especially in understanding the complex behavioural actions, the different settings, motivations, assets of criminals. To examine why different kinds of people commit certain crimes is very important in field of criminology in order to prevent the crimes in a society. Many theories have been put forward over the years, and still it is required to be explored new ones, both individually and in combination, in order to find best solutions which will eventually reduce the levels and types of crime.

INTERPOL

INTRODUCTION:

1. It was created in 1923
2. With its 190 member nations, Interpol is the world's largest international police organization.
3. Its **primary objective** is to reduce criminal activity across the world by facilitating the cross-border exchange of police information and promoting cooperation among law enforcement authorities in its member nations.
4. One of Interpol's most important **functions** is to assist its members through the **'issuance of *notices'*** that facilitate the sharing of crime- related information among countries and are the main instruments of international police cooperation.

STRUCTURE AND GOVERNANCE:
· General Secretariat in Lyon, France,
· Six Regional Bureaus, one Liaison
Office, and
· Special Representatives of INTERPOL to the UNO and to the EU in Brussels.
· A National Central Bureau (NCB) in each member country

OFFICIAL LANGUAGES:
Four official languages: Arabic, English, French and Spanish

INTERPOL'S FUNCTIONS
· INTERPOL works closely with all member countries and international organisations such as the UN and EU to combat transnational crime.
· INTERPOL performs the following four core functions:

1. Secure global police communications services
· INTERPOL has developed a global police communications system, known as I-24/7,
· This system enables any member country to request for, and submit and access, vital data instantly in a secure environment. Liaison Bureau (LB) is connected to this system and frontline officers can obtain INTERPOL services via LB.

2. Operational data Services and databases for police
· Through I-24/7, member countries, including the Force, have direct and immediate access to

a wide range of databases, including Nominal Data; Stolen and Lost Travel Documents; Stolen Motor Vehicles; Stolen Works of Art; DNA Profiles; Fingerprints, and Counterfeit Payment Cards.
· For instance, in 2008, Organised Crime and Triad Bureau utilised the Stolen Motor Vehicles Database during an operation and identified three recovered vehicles as the ones reported stolen by the National Police Agency of Japan.
· INTERPOL also disseminates critical crime-related data through a system of international notices. Based on the requests from member countries, the INTERPOL General Secretariat (IPSG) produces notices in all of the organisation's four official languages: Arabic, English, French and Spanish.

3. Operational police support services
· Based at IPSG (Interpol Secretariat General), the Command and Co-ordination Centre operates around the clock.
· It links IPSG, National Central Bureaux and regional offices,
· It serves as the first point of contact for any member country faced with a crisis situation.
· This may include deployment of Incident Response Teams or Disaster Victim Identification Teams to the sites of terrorist attacks or natural disasters.
· It may also send INTERPOL Major Event Support Teams (IMEST) to assist the host countries of sporting events or world summits with security efforts.
· For example, INTERPOL sent their IMEST to render assistance to the Force during Hong Kong's hosting of the WTO MC6 Conference in 2005.

4. Police training and development
· INTERPOL Global Learning Centre is a Learning Management System composed of a directory of experts, e-learning packages and a depository of research papers and best practices.
· Together with regular training programmes, the organisation ultimately aims at enhancing member countries' capacity in combatting transnational crime and terrorism.

INTERPOL NOTICES AND DIFFUSIONS
· INTERPOL Notices are international requests for cooperation or alerts allowing police in member countries to share critical crime-related information.
· In the case of Red Notices, the persons concerned are wanted by national jurisdictions for prosecution or to serve a sentence based on an arrest warrant or court decision.
· INTERPOL's role is to assist the national police forces in identifying and locating these persons with a view to their arrest and extradition or similar lawful action.
· Notices are used by the United Nations, International Criminal Tribunals and the International Criminal Court to seek persons wanted for committing crimes within their jurisdiction, notably genocide, war crimes, and crimes against humanity.

DIFFUSION:
· Similar to the Notice is another request for cooperation or alert mechanism known as a 'diffusion'.
· This is less formal than a notice but is also used to request the arrest or location of an individual or additional information in relation to a police investigation.
· A diffusion is circulated directly by an NCB to the member countries of their choice, or to the entire INTERPOL membership and is simultaneously recorded in INTERPOL's Information System.

PURPOSES OF NOTICES AND DIFFUSIONS:
Wanted persons
· Seeking additional information
· Warnings about known criminals
· Missing persons

· Unidentified bodies
· Special INTERPOL-UN Security Council
· Warnings of threats

TYPES OF NOTICES:
Red Notice
To seek the arrest or provisional arrest of wanted persons, with a view to extradition.

Yellow Notice
To help locate missing persons, often minors, or to help identify persons who are unable to identify themselves.

Blue Notice
To collect additional information about a person's identity or activities in relation to a crime.

Black Notice
To seek information on unidentified bodies.

Green Notice
To provide warnings and criminal intelligence about persons who have committed criminal offences and are likely to repeat these crimes in other countries.

Orange Notice
To warn police, public entities and other international organisations about potential threats from disguised weapons, parcel bombs and other dangerous materials.

Purple Notice
To seek or provide information on *modi operandi*, objects, devices and concealment methods used by criminals.

· **INTERPOL–UNITED NATIONS SECURITY COUNCIL SPECIAL NOTICE**
Issued for groups and individuals who are the targets of UN Security Council Sanctions Committees.

INTRODUCTION TO CRIMINOLOGY

Criminology is the scientific study of crime, including its causes, responses by law enforcement, and methods of prevention.

- The scientific approach to studying criminal behaviour
- Interdisciplinary science that seeks that seeks to explain the causes, intent & nature of crime in society.
- Closely related to the field of criminal justice which is the study of agencies of social control that handle criminal offenders.
- The term criminology was coined in 1885 by Raffaele Garofalo, an Italian professor
- It combines the academic disciplines of sociology, economics, psychology, biology & political science.

Criminology has several sub-groups, including:

- **Penology**: the study of prisons and prison systems
- **Bio criminology**: the study of the biological basis of criminal behavior
- **Feminist criminology**: the study of women and crime
- **Criminalistics**: the study of crime detection.

Meaning and Definition of Criminology

The word criminology is composite of two words criminal + logy. Literally, it means a systematic study of the criminals, that is, persons who break or offend the social or group law. However, since the offences committed by criminals are crimes; and as crimes occur in society, the term criminology fully means a study of crimes as well as criminals in relation to society. It also tries to determine the causes of these and also thereby recommends preventive measures. The science of criminology is a scientific and systematic study of a social phenomenon. Various scientific techniques and methods are employed for the study of this phenomenon. As criminology views man as a social animal, it tries to study social interactions and phenomena to place its subject matter in a proper perspective. The science of criminology also investigates the structure and function of social laws rules and regulations. How do the social laws, conventions and traditions get formulated? How and why does an individual break them? Is there an element of compulsion or coercion in his defiance of the law? Or is it deliberate? These and other allied matters are studied by criminology with a view to find adequate answers which may help to formulate the effective preventive measures and controls. The reaction of society towards a criminal and the disposition of criminal towards society are the important matters for investigation which help to understand adequately the phenomenon of crime. Only by a full appreciation of these matters can we learn ways and means to control crime. The above discussion makes explicit the meaning of criminology. But in order to appreciate fully the nature of criminology, it is essential to examine closely the definitions given by learned sociologists and eminent criminologists.

THE MOST IMPORTANT DEFINITIONS:

(1) According to an eminent sociologist Sutherland: "Criminology is the body of knowledge regarding crime as a social phenomenon." This definition exhibits sociological bias and regards crime to be reaction to certain set of social factors and causes.

(2) According to an eminent criminologist Elliot: "Criminology may be defined as the scientific study of rime and its treatment." This definition, besides emphasizing the scientific investigation into the nature and etiology of crime, stresses the practical or utilitarian nature of this body of knowledge, namely, devising ways and means to prevent or reduce the incidence of crime and rehabilitate criminals as normal members of the society.

(3) According to renowned criminologist D. R. Taft: "Criminology is the study which includes all the subject matter necessary to understanding and prevention of crimes together with the punishment and treatment of delinquents and criminals." This is a comprehensive definition and describes theoretical as well as practical aspects of the study. It brings out clearly the fact, which may get overlooked usually, that criminology is concerned not with the offences committed by adults only but also deals with juvenile offences.
According to another noted sociologist Webster, the science of Criminology may be described to be "the scientific study of crime as a social phenomenon, or of criminals and their mental traits, habits and discipline." This definition has the merit of emphasizing equally the sociological as well as psychological aspects of the crime and the criminal.

NATURE OF CRIMINOLOGY

The foregoing discussion about the meaning and description of criminology makes abundantly explicit and clear the nature of this science. Fundamentally speaking, the task of criminology is a scientific, systematic, statistical, structural and functional in depth study of crime. The behaviour covertly deviant is liable to become overtly offensive of social norms and laws, both from sociological and psychological standpoints. Besides having a theoretical

understanding of crime, criminal and his behaviour, the object of criminology is also to devise effective tools to minimize the incidence of crime, reform and rehabilitate the criminal. Lastly, criminology also tries to suggest reform in penal code and its enforcement in order to make these rational and humanitarian.

SCOPE OF CRIMINOLOGY

Like other social sciences, the scope of criminology is also quite vast and extensive. It is related to each and every social class and structure. Though the scope of criminology is very vast and coextensive with many sciences, the criminologists have tried to limit its scope in order to be able to study the subject scientifically, systematically and exhaustively. The viewpoints of certain notable criminologists are given on next page:

(A) According to Sutherland the science of criminology, "includes within its scope the processes of making laws, of breaking laws, and of reacting towards the breaking of laws." In the opinion of Sutherland criminology has three distinct aspects of departments. Though distinct, these are nonetheless not independent, but inter-linked. A thorough study of these aspects exhausts the scope of criminology; to study all of them is the same as studying the whole science of criminology. In accordance with Sutherland's description of the scope of criminology, we can divide it into departments:

(a) The sociology of law-In this we study the nature of crime from legalistic point of view. Also we investigate into the effects of present laws upon them and study the possible reforms in the laws in order to prevent and control the occurrence of crime. The major concern of the sociology of law is to critically examine the impact of various legal systems upon crime. This study can go a long way to evolve suitable changes in the laws to curb crime.

(b) Criminal Etiology-In this department a systematic investigation into the various causes of crime is made. Here we study the social and personal factors responsible for the occurrence of crime and growth of criminals.

(c) Penology-Besides knowledge and determination of the causes and factors which generate or encourage crime, it is equally, if not more essential to know the ways and means of controlling and preventing the crime. This aspect is studied systematically and in a scientific manner to achieve control over crime. The facts and theories in this regard from the scope of Penology, an important department of criminology.

THE VIEWPOINT OF ELLIOT AND MERRILL

The eminent scholars Elliot and Merrill have made an exhaustive and thorough study regarding the scope of criminology. According to these scholars, in criminology we study four sets of facts. These are as follows:

(a) The Nature of Crime-What are the features of crime? What type of action is crime? In what respect does a criminal act differ from a social or moral act? Is it just the action which may be considered criminal or can the motive make difference to our description of a crime? For example, the theft committed for personal gain and the theft committed for impersonal reasons or social gain are both cases of theft. Can we make any distinction between the two? The answers to these questions tell us the nature of crime.

(b) Investigations into the causes of Crime-Under this aspect of Criminology we study the reasons of criminal behaviour. The different types of crime have different causes. Are these differences apparent or real? Can we come by a general theory of crime which will be adequate to explain all types of crime? Are there relations, inverse or direct, between various crimes. These questions are investigated under this head. Besides, we also study the question

of responsibility of crimes. If criminals are made and not born, who is responsible for encouraging criminality? Is it parent education or social system that is responsible in conjunction or one of these alone? All these questions form the subject mater of this aspect of criminology.

(c) Individualized Study of Criminals-How and when does one turn into a criminal? What particular event or series of events happen which turn man towards criminality? In order to know all these facts we have to study in detail the personal lives of the criminals. Also we have to study the life of a person in totality for understanding the nature of crime and criminal. For this purpose we make use of what has come to be known as the technique of case-history method.

(d) Study of Prevention of Crime & Reform of the Criminal-Most obviously crimes is inimical to the interests of the society. They not only disturb the social equilibrium but make life hell for the criminal as well as his relatives. Even more, due to crime the normal law abiding citizen lives in fear. Therefore it is most essential to devise ways and means to prevent crime and reform the criminals. Should the system of punishment the deterrent, preventive, reformative or exemplary? What type of punishment is adequate for each type of crime? Such questions are studied under this head.

CRIMINAL LAW

Criminal law or **Penal law** is the body of law that relates to crime. It regulates social conduct and proscribes whatever is threatening, harmful, or otherwise endangering to the property, health, safety, and moral welfare of people. It includes the punishment of people who violate these laws. Criminal law varies according to jurisdiction, and differs from civil law, where emphasis is more on dispute resolution and victim compensation than on punishment.

It refers to a body of laws that apply to criminal acts. In instances where an individual fails to adhere to a particular criminal statute, he or she commits a criminal act by breaking the law. This body of laws is different from civil law, because criminal law penalties involve the forfeiture of one's rights and imprisonment. Conversely, civil laws relate to the resolution of legal controversies and involve money damages.

There are various theories for why we have a criminal law system. Neither theory is exclusive or dispositive. The main theories for criminal law include: to deter crime, to reform the perpetrator, to provide retribution for the act, and to prevent further crimes. There is much discussion regarding these theories of criminal law and which policy is best promoted by the body of criminal law.

TYPES OF CRIMINAL LAWS

There are two types of criminal laws: misdemeanors and felonies. A **misdemeanor** is an offense that is considered a lower level criminal offense, such as minor assaults, traffic offenses, or petty thefts. Moreover, in most states, the penalty for the misdemeanor crime is typically one year or less.

In contrast, **felony** crimes involve more serious offenses. Some examples of felonies include murder, manslaughter, dealing drugs, rape, robbery, and arson. In virtually every state in the U.S., felonies carry a penalty of one year or more, depending upon the particular nature of the offense and the jurisdiction where the felony crime was committed. In addition, every state has a different body of criminal laws which vary from state to state. There are also federal criminal law statutes which apply to every state in the U.S.

PARTS OF CRIMINAL LAW STATUTES

All criminal law statutes contain two distinct parts. The first of these parts is the ***mens rea***, which is the mental state that one must possess when committing a crime. For example, if one commits murder, it is necessary that the party committing the murder intended to engage in the act. This intention is the *mens rea* of the crime of murder.

The other part of a criminal statute is the ***actus reus***. This portion of the criminal statute refers to the action taken by the perpetrator. For instance, in a drug dealing case, in order to charge the perpetrator with the crime of drug dealing, the perpetrator must have actually sold the drugs. This is the action required for the criminal statute's *actus reus* to exist.

OBJECTIVES OF CRIMINAL LAW

Criminal law is distinctive for the uniquely serious potential consequences or sanctions for failure to abide by its rules. Every crime is composed of criminal elements. Capital punishment may be imposed in some jurisdictions for the most serious crimes. Physical or corporal punishment may be imposed such as whipping or caning, although these punishments are prohibited in much of the world. Individuals may be incarcerated in prison or jail in a variety of conditions depending on the jurisdiction. Confinement may be solitary. Length of incarceration may vary from a day to life. Government supervision may be imposed, including house arrest, and convicts may be required to conform to particularized guidelines as part of a parole or probation regimen. Fines also may be imposed, seizing money or property from a person convicted of a crime.

Five objectives are widely accepted for enforcement of the criminal law by punishments: retribution, deterrence, incapacitation, rehabilitation and restoration. Jurisdictions differ on the value to be placed on each.

- **Retribution** – Criminals ought to *Be Punished* in some way. This is the most widely seen goal. Criminals have taken improper advantage, or inflicted unfair detriment, upon others and consequently, the criminal law will put criminals at some unpleasant disadvantage to "balance the scales." People submit to the law to receive the right not to be murdered and if people contravene these laws, they surrender the rights granted to them by the law. Thus, one who murders may be executed himself. A related theory includes the idea of "righting the balance."
- **Deterrence** – *Individual* deterrence is aimed toward the specific offender. The aim is to impose a sufficient penalty to discourage the offender from criminal behavior. *General* deterrence aims at society at large. By imposing a penalty on those who commit offenses, other individuals are discouraged from committing those offenses.
- **Incapacitation** – Designed simply to keep criminals *away* from society so that the public is protected from their misconduct. This is often achieved through prison sentences today. The death penalty or banishment have served the same purpose.
- **Rehabilitation** – Aims at transforming an offender into a valuable member of society. Its primary goal is to prevent further offense by convincing the offender that their conduct was wrong.
- **Restoration** – This is a victim-oriented theory of punishment. The goal is to repair, through state authority, any injury inflicted upon the victim by the offender. For example, one who embezzles will be required to repay the amount improperly acquired. Restoration is commonly combined with other main goals of criminal justice and is closely related to concepts in the civil law, i.e., returning the victim to his or her original position before the injury.

CRIME

In ordinary language, a crime is an unlawful act punishable by a state or other authority. The term "crime" does not, in modern criminal law, have any simple and universally accepted definition, though statutory definitions have been provided for certain purposes. The most popular view is that crime is a category created by law; in other words, something is a crime if declared as such by the relevant and applicable law. One proposed definition is that a crime or offence (or criminal offence) is an act harmful not only to some individual or individuals but also to a community, society or the state ("a public wrong"). Such acts are forbidden and punishable by law.

The notion that acts such as murder, rape and theft are to be prohibited exists worldwide. What precisely is a criminal offence is defined by criminal law of each country. While many have a catalogue of crimes called the criminal code, in some common law countries no such comprehensive statute exists. The state (government) has the power to severely restrict one's liberty for committing a crime. In modern societies, there are procedures to which investigations and trials must adhere. If found guilty, an offender may be sentenced to a form of reparation such as a community sentence, or, depending on the nature of their offence, to undergo imprisonment, life imprisonment or, in some jurisdictions, execution.

Usually, to be classified as a crime, the "act of doing something criminal" (actus reus) must – with certain exceptions – be accompanied by the "intention to do something criminal" (mens rea). While every crime violates the law, not every violation of the law counts as a crime. Breaches of private law (torts and breaches of contract) are not automatically punished by the state, but can be enforced through civil procedure.

ETYMOLOGY OF CRIME: The word crime is derived from the Latin root cernō, meaning "I decide, I give judgment". Originally the Latin word crīmen meant "charge" or "cry of distress." The Ancient Greek word krima, from which the Latin cognate derives, typically referred to an intellectual mistake or an offense against the community, rather than a private or moral wrong.

In 13th century English crime meant "sinfulness", according to etymonline.com. It was probably brought to England as Old French crimne (12th century form of Modern French crime), from Latin crimen (in the genitive case: criminis). In Latin, crimen could have signified any one of the following: "charge, indictment, accusation; crime, fault, offense".

The word may derive from the Latin cernere – "to decide, to sift" (see crisis, mapped on Kairos and Chronos). But Ernest Klein (citing Karl Brugmann) rejects this and suggests *cri-men, which originally would have meant "cry of distress". Thomas G. Tucker suggests a root in "cry" words and refers to English plaint, plaintiff, and so on. The meaning "offense punishable by law" dates from the late 14th century. The Latin word is glossed in Old English by facen, also "deceit, fraud, treachery", Crime wave is first attested in 1893 in American English.

CRIME AS SOCIAL PROBLEM

Crime is a violation of criminal law for which formal penalties are applied by some governmental authority. It represents some type of deviation from formal social norms administered by the state. Crimes are divided by law into various categories, depending on the severity of the offence, the age of the offender, the potential punishment that can be levied, and the court that holds jurisdiction over the case. There is no society in any part of the world, which is without crimes.

One of the serious problems of today's crimes is that in many cases the criminals are socially, politically and economically so powerful that they decide the course of punishment for others while they themselves manage to get escaped completely.

CAUSES OF CRIME

There are many causes of the crime. Few of the many causes may be discussed as under:

1. Poverty
2. Education System
3. Unemployment
4. Political Setup
5. Change in Values

1. Poverty

Poverty is one of the most importance causes of crime. In fact it can be said that it is the root cause of many crimes. Though poverty is a relative term, yet in every form it result in corruption and adopting illegal and underhand means. Poverty results in committing suicide and prostitution as well as bribery and so on. Directly or indirectly poverty is responsible for all sorts of crimes.

2. Educational System

Unfortunately present day educational system is very defective. The system of education does not lay stress on morality and character, which are effective forces for checking crimes. Similarly we find the education is mostly not vocational biased and does not help the young people to get timely employment. Delay in getting proper employment encourages tendency towards crime.

3. Unemployment

In the economic field unemployment plays an important role in committing of crimes. Thus an unemployed young person can become robber or a thief. He can become violent and take law into his own hands. In this way unemployment results in many crimes. That is the reason that we find that in countries, which have undeveloped economy, and in which chances of unemployment are marginal, rate of crimes is high.

4. Political Set up

Our political set up also encourages crimes in our modern times government machineries are slow and inefficient with the result that this becomes premium on the illegal activities of the criminals. Similarly our legal system too is very complex and complicated and the criminals are confident that they can escape free and involve some innocent persons in it.

They know that by their illegally earned wealth they can purchase as well as mould the course of law. Not only this, but we find that some of our politicians encourage criminals for one reason or the other.

5. Change in Values

As we know that due to industrialization and advancement of science and advancement

of science and technology social values have very greatly changed. Today we are more materialists and rational as well as individualists. Collectivism and blind faith is being replaced by new ideas. Due to these changes, social values have also together changed and restrictions considerably reduced. This has resulted in committing many crimes.

CONCEPT OF DEVIANCES

Deviance is any behavior that violates social norms, and is usually of sufficient severity to warrant disapproval from the majority of society. **Deviance** can be criminal or non-criminal. The sociological discipline that deals with crime (behavior that violates laws) is criminology (also known as criminal justice).

THEORIES OF DEVIANCES: A number of theories related to deviance and criminology have emerged within the past 50 years or so. Four of the most well known follow.

DIFFERENTIAL-ASSOCIATION THEORY: Edwin Sutherland coined the phrase **differential association** to address the issue of how people *learn* deviance. According to this theory, the environment plays a major role in deciding which norms people learn to violate. Specifically, people within a particular *reference group* provide norms of conformity and deviance, and thus heavily influence the way other people look at the world, including how they react. People also learn their norms from various socializing agents—parents, teachers, ministers, family, friends, co-workers, and the media. In short, people learn criminal behavior, like other behaviors, from their interactions with others, especially in intimate groups.

The differential association theory applies to many types of deviant behavior. For example, juvenile gangs provide an environment in which young people learn to become criminals. These gangs define themselves as countercultural and glorify violence, retaliation, and crime as means to achieving social status. Gang members learn to be deviant as they embrace and conform to their gang's norms.

Differential association theory has contributed to the field of criminology in its focus on the developmental nature of criminality. People learn deviance from the people with whom they associate. Critics of the differential-association theory, on the other hand, claim the vagueness of the theory's terminology does not lend itself to social science research methods or empirical validation.

ANOMIE THEORY: Anomie refers to the confusion that arises when social norms conflict or don't even exist. In the 1960s, **Robert Merton** used the term to describe the differences between socially accepted goals and the availability of means to achieve those goals. Merton stressed, for instance, that attaining wealth is a major goal of Americans, but not all Americans possess the means to do this, especially members of minority and disadvantaged groups. Those who find the "road to riches" closed to them experience anomie, because an obstacle has thwarted their pursuit of a socially approved goal. When this happens, these individuals may employ deviant behaviors to attain their goals, retaliate against society, or merely "make a point."

The primary contribution of anomie theory is its ability to explain many forms of deviance. The theory is also sociological in its emphasis on the role of social forces in creating deviance. On the negative side, anomie theory has been criticized for its generality. Critics

note the theory's lack of statements concerning the process of learning deviance, including the internal motivators for deviance. Like differential association theory, anomie theory does not lend itself to precise scientific study.

CONTROL THEORY: According to **Walter Reckless's control theory**, both inner and outer controls work against deviant tendencies. People may want—at least some of the time—to act in deviant ways, but most do not. They have various restraints: *internal controls*, such as conscience, values, integrity, morality, and the desire to be a "good person"; and *outer controls*, such as police, family, friends, and religious authorities. **Travis Hirschi** noted that these inner and outer restraints form a person's **self control**, which prevents acting against social norms. The key to developing self control is proper socialization, especially early in childhood. Children who lack this self control, then, may grow up to commit crimes and other deviant behaviors.

Whereas theory also suggests that people society labels as "criminals" are probably members of subordinate groups, critics argue that this oversimplifies the situation. As examples, they cite wealthy and powerful businesspeople, politicians, and others who commit crimes. Critics also argue that conflict theory does little to explain the causes of deviance. Proponents counter, however, by asserting that the theory does not attempt to delve into etiologies. Instead, the theory does what it claims to do: It discusses the relationships between socialization, social controls, and behavior.

LABELING THEORY: A type of symbolic interaction, **labeling theory** concerns the meanings people derive from one another's labels, symbols, actions, and reactions. This theory holds that behaviors are deviant only when society labels them as deviant. As such, conforming members of society, who interpret certain behaviors as deviant and then attach this label to individuals, determine the distinction between deviance and non-deviance. Labeling theory questions who applies what label to whom, why they do this, and what happens as a result of this labeling.

Powerful individuals within society—politicians, judges, police officers, medical doctors, and so forth—typically impose the most significant labels. Labeled persons may include drug addicts, alcoholics, criminals, delinquents, prostitutes, sex offenders, retarded people, and psychiatric patients, to mention a few. The consequences of being labeled as deviant can be far-reaching. Social research indicates that those who have negative labels usually have lower self-images, are more likely to reject themselves, and may even act more deviantly as a result of the label. Unfortunately, people who accept the *labeling of others*—be it correct or incorrect—have a difficult time changing their opinions of the labeled person, even in light of evidence to the contrary.

William Chambliss in 1973 conducted a classic study into the effects of labeling. His two groups of white, male, high-school students were both frequently involved in delinquent acts of theft, vandalism, drinking, and truancy. The police never arrested the members of one group, which Chambliss labeled the "Saints," but the police did have frequent run-ins with members of the other group, which he labeled the "Roughnecks." The boys in the Saints came from respectable families, had good reputations and grades in school, and were careful not to get caught when breaking the law. By being polite, cordial, and apologetic whenever confronted by the police, the Saints escaped labeling themselves as "deviants." In contrast, the Roughnecks came from families of lower socioeconomic status, had poor reputations and grades in school, and were not careful about being caught when breaking the law. By being hostile and insolent whenever confronted by the police, the Roughnecks were easily labeled by others and themselves as "deviants." In other words, while both groups committed crimes,

the Saints were perceived to be "good" because of their polite behavior (which was attributed to their upper-class backgrounds) and the Roughnecks were seen as "bad" because of their insolent behavior (which was attributed to their lower-class backgrounds). As a result, the police always took action against the Roughnecks, but never against the Saints.

Proponents of labeling theory support the theory's emphasis on the role that the attitudes and reactions of others, not deviant acts *per se*, have on the development of deviance. Critics of labeling theory indicate that the theory only applies to a small number of deviants, because such people are actually caught and labeled as deviants. Critics also argue that the concepts in the theory are unclear and thus difficult to test scientifically.

DIFFERENCES BETWEEN SIN, CRIME & VICE

For the sake of scientific study, the sin, the vice, the immorality etc, have been dealt with differently in criminology. A crime is an act against society or law or both for which it is penalised. Keeping this definition of crime in view, it will be beneficial to differentiate all these concepts from crime.

CRIME AND SIN: All the acts against religion are considered sins. Thus, sin can be defined as the transgression of divine laws. Its very base is religion, while the crime is based upon laws. The concept of sin is traditional, based on orthodoxy and rigidity. The final decision in sin is taken on the basis of religious books while in the matter of crime; it is taken by law court. Darrow has defined sin in a most suitable manner. In his words, "Sin……is an offence against God, a transgression against the divine law and any thought, desire, word, an act or omission against that law".

CRIME AND VICE: Vices are often included in the category of crimes, but many of them, sometimes are not regarded as crimes. There is a lot of difference in their aims. The crimes cause harm to others while the vicious or the wicked causes harm to him only. For example, the vices like gambling, drinking prostitution or deriving pleasure out of illicit sexual intercourse; cause harm to the individual only. As the harm to the individual indirectly effects, the latter therefore prohibits the vices and generally gives punishment for them.

THE CRIMINAL BEHAVIOR

Criminal behavior is often a difficult topic to discuss, as there are many different variables that must be taken into account in order to truly define and obtain a thorough understanding of the concept. **What is criminal behavior**? "A **criminal** act occurs when there is a motive, a means, and an opportunity.

WHAT IS CRIMINALITY? While the term **criminality** is used often in criminology to refer to actual criminal characteristics of a person (i.e., propensity evidence such as past criminal record, etc.), we use the term **criminality** to refer to the extent to which a person's appearance triggers stereotypes about criminals.

THE OCCASIONAL CRIMINALS

The occasional criminal only performs the act if the opportunity occurs in his/her routine of daily life. For example someone is walking by a car & it happens to be unlocked & the person notices they might take their car stereo, etc. Those whose criminal acts were due to external circumstances and who were driven to commit crimes because of a special passion.

1. Most crime committed by amateurs whose acts are unskilled, and unplanned
2. Occasional crime occurs when there is a situational inducement

3. Frequency of occasional crime varies according to age, class race, and gender
4. Occasional criminals have little group support for the crimes

There is a class of occasional criminals, who do not exhibit, or who exhibit in slighter degrees, the anatomical, physiological, and psychological characteristics which constitute the type described by Lombroso as "the criminal man."

There are occasional criminals who commit the offences characteristic of habitual criminality, such as homicides, robberies, rapes, etc., so there are born criminals who sometimes commit crimes out of their ordinary course.

Occasional criminals, who without any inborn and active tendency to crime lapse into crime at an early age through the temptation of their personal condition, and of their physical and social environment, and who do not lapse into it, or do not relapse, if these temptations disappear.

Thus they commit those crimes and offences which do not indicate natural criminality, or else crimes and offences against person or property, but under personal and social conditions altogether different from those in which they are committed by born and habitual criminals.

There is no doubt that, even with the occasional criminal, some of the causes which lead him into crime belong to the anthropological class; for external causes would not suffice without individual predispositions. For instance, during a scarcity or a hard winter, not all of those who experience privation have recourse to theft, but some prefer to endure want, however undeserved, without ceasing to be honest, whilst others are at the utmost driven to beg their food; and amongst those who yield to the suggestion of crime, some stop short at simple theft, whilst others go as far as robbery with violence. Of millions of property and theft related crimes are done by occasional criminals.

AN OCCASIONAL THIEF

An individual's decision to steal is spontaneous, un-planned.
Criminologists suspect that the great majority of economic crimes are the work of amateur criminals whose decision to steal is spontaneous and whose acts are unskilled, unplanned, and haphazard. Occasional property crime occurs when there is an opportunity or situational inducement to commit crime. Upper-class has the opportunity to engage in the more lucrative business- related crimes. The lower-class has opportunity to commit crime and short-run inducements. Occasional criminals will deny any connection to a criminal life-style and instead view their transgressions as being out of character. Whereas with the occasional criminal the moral sense is almost normal, but inability to realize beforehand the consequences of his act causes him to yield to external influences.

The forms of occasional criminality, which are determined by these ordinary temptations, are also determined by age, sex, poverty, worldly influences, and influences of moral environment, alcoholism, personal surroundings, and imitation. Tarde has ably demonstrated the persistent influence of these conditions on the actions of men.

For thefts, again, whilst occasional simple thefts are largely the effect of social and economical conditions. For slight offences by occasional criminals, strict indemnification will, on the one hand, avoid the disadvantages of short terms of imprisonment, and will, on the other hand, be much more efficacious and sensible than an assured provision of food and shelter, for a few days or weeks, in the State prisons.

Occasional criminals or criminaloids, whose crimes are explained primarily by opportunity, although they too have innate traits that predispose them to criminality.

Lombroso referenced the insane criminal, the criminaloid, and the habitual criminal all as "occasional criminals". His classification of the insane criminal (idiots, imbeciles, paranoiacs, epileptics, alcoholics, etc.) came by way of his assertion that this type of criminal was a result of brain deficiency. Lombroso differentiated the atavistic or born criminal from the insane criminal through his proposition that the insane criminal, was not born criminal. Instead, due to the deficiency/alteration of the brain (which disturbs their moral nature and subsequently inhibits their ability to discern between right and wrong) the insane criminal becomes criminal at any point in their life (Lombroso-Ferrero, 1911, p. 74).

Of the criminaloid, the largest group of occasional criminals, Lombroso hypothesized that they were only slightly less predisposed to criminality. He asserted that the opportunity to commit crime and environmental factors was the most important element in their etiology and that although they had innate traits and a touch of degeneracy, their organic tendency was much less than that of the born criminal.

The habitual criminal is the third group of occasional criminals. Here Lombroso asserts that "the habitual criminal was born without serious anomalies or tendencies in his constitution that would predispose him to crime" (Mannheim, 1972, p. 253). Therefore, the habitual criminal came closest to a "normal" criminal. "Poor education and training from parents, the school and community at an early age cause these individuals to fall into the primitive tendency towards evil" (Mannheim, 1972, p. 253). The associations of criminals, such as members of organized crime, play a role in drawing habitual criminals into crime. Lombroso makes the claim that the habitual criminal's upbringing and associations drove them into criminal activity.
The broadest and most inclusive category of occasional criminals include four types.

THE PSEUDOCRIMINAL
Individuals who become criminals by mere accident e.g. killing in self-defense. These criminals are also called Judicial Criminals.

CRIMINALOID
These are epileptoids who suffer from a milder form of the disease so that without adequate cause criminality is not manifested. These are individuals with weak natures who can be swayed by circumstances to commit crime. Often showing hesitation before committing crime.

HABITUAL CRIMINALS
Individuals who regard the systematic violation of the law in the light of an ordinary trade. Include those convicted of theft, fraud, arson, forgery and blackmail.

EPILEPTOID CRIMINAL
Individual suffering from epilepsy.
In short, for occasional criminals who commit slight offences, in circumstances which show that they are not of a dangerous type, I say, as I have said already, that reparation of the damage inflicted would suffice as a defensive measure, without a conditional sentence of imprisonment.

As to the occasional criminals who commit serious offences, for which reparation alone would not be sufficient, temporary removal from the scene of the crime should be added in the less serious cases, whilst in the cases of greater gravity, owing to material and personal considerations, there should be indefinite segregation in an agricultural colony, with lighter work and milder discipline than those prescribed in colonies for born criminals and recidivists.

The last category is that of criminals through an impulse of passion, not anti-social but

susceptible of excuse, such as love, honor, and the like. For these individuals all punishment is clearly useless, at any rate as a psychological counteraction of crime, for the very conditions of the psychological convulsion which caused them to offend precludes any deterrent influence in a legal menace.

I therefore believe that in typical cases of criminals of passion; where there is no clear demand for mental treatment in a criminal lunatic asylum, imprisonment is of no use whatever. Strict reparation of damage will suffice to punish them, whilst they are punished already by genuine and sincere remorse immediately after the criminal explosion of their legitimate passion. Temporary removal from the scene of their crime and from the residence of the victim's family might be superadded.

Nevertheless it must not be forgotten that I say this in connection with criminals in whom the passionate impulse is really exceptional, and who present the physiological and psychical features of the genuine criminal of passion.

I come to a different conclusion in the case of criminals who have merely been provoked, who do not completely present these features, who are actuated by a combination of social and excusable passion with an anti-social passion, such as hate, vengeance, anger, ambition, &c. Of such a kind are murderers carried away by anger just in itself, by blood-feuds, or desire to avenge the honor of their family, by vindication of personal honor, by grave suspicion of adultery; persons guilty of malicious wounding, disfigurement through erotic motives, and the like. These may be classed as occasional criminals, and treated accordingly.

Such, then, in general outline, is the positive system of social, preventive, and repressive defense against crimes and criminals, in accordance with the inferences from a scientific study of crime as a natural and social phenomenon.

It is a defensive system which, in the nature of things, must of necessity be substituted for the criminal and penitentiary systems of the classical school, so soon as the daily experience of every nation shall have established the conviction, which at this moment is more or less profound, but merely of a general character, that these systems are henceforth incompatible with the needs of society, not only by their crude pedantry, but also because their consequences are becoming daily more disastrous.

CRIMINAL BEHAVIOR

The focus of Criminal behavior study is to understand offender better and answer questions like: who criminals are, why do they commit an offence (In order to define ways of preventing criminal), how do they think, what do they do (in order to predict their future actions and assist investigation in catching offenders). Andrews & Bonta, 1998 offered four general definitions of criminal behavior that will fit all the types of it. These four areas include the following types of act:

1. Prohibited by law and are punished by the state
2. Considered to be violation moral or religious code and is believed to be punishable by a Supreme Spiritual being such as God
3. Violate norms of society or traditions and are believed to be punishable by community
4. Acts causing serious psychological stress or mental damage to a victim, but is somewhat affordable for offender (referred as "Psychological criminal behavior").

From the all stated above a general definition of criminal behavior can be stated as "Any kind of antisocial behavior, which is punishable by law or norms, stated by community," therefore,

it is very difficult to define it, because the acts, being considered as violation at one point of time now is accepted by community.

It is important to distinguish Delinquency from criminal act. The first one refers to acts, that are prohibited by social norms, while the second one is violation of existing laws defined by a state. This field includes studying of risk factors and measuring crime in order to assist in prevention meres.

A risk factor in criminality is anything in a persons psychology, what will somewhat increase possibility, that he/she will get involved in a criminal activity. These may include behavior disorder, lack of education, media influence, poor personal temperament, low IQ, antisocial beliefs, influence of society or a poor integration in it, poor parenting, etc… You can learn more about these factors in causes and theories of criminal behavior.

Criminal behavior usually is measured by arrests and charges, self-reported offences (which is believed by some to be more accurate), actual crime rates, which are usually obtained by governmental organs. By using this kind of information crime reports are generated, which helps to generally categorize crimes by type and offender characteristics such as gender, age, race and location.

CAUSES OF CRIMINAL BEHAVIOR: The reasons behind criminal behavior can vary a lot in each particular case, but still they can be grouped in two main categories – genetics and environment.

When in the mid 19th century the question about the causes of criminal behavior was raised, a lot of psychologists were insisting that the only reason is genetics. They even considered that a person's inclination to criminal could be measured according to the parents mental condition, i.e. if they had some even minor mental problems theirs son/daughter was more likely to become a criminal. The scientists had their versions of solving a problem, but is it fair if the people with higher risk of committing a crime would not be allowed by the state and society to live normally and have children?

As the time passed more and more researches and experiments were held and modern approach to this question is that of course genetics is really important reason behind criminal behaviour, but the environment is also as important as it. This includes the family the child is born and raised in, the example parents and family can give them, the social status they have, education, etc.

Nowadays the psychologists and criminalists agree that what drives a person to criminal behavior is really complex and complicated mechanism, involving a lot of factors. We can imagine a child, who was born in a "criminal" family (mother is schizopreniac, father is rapist and murderer) but after he got an education and a job there is nothing antisocial in his behaviors. It proves that solely genetics can't determine one's inclination to the criminal.

So, it is impossible to predict a person's "criminality" according to some specific factors, but we can still highlight some circumstances and apply a person to a "relatively higher criminal risk group".

- Financial problems, or starvation – this is especially common problem in third world countries. When a person has to struggle every day just to get food to survive, the probability that they become thieves is high.
- Low social status – when one is bullied because of it, they may easily become aggressors and fight back against the whole society.
- Genetics – some genetical mental disorders, itself, includes increased aggression..

THEORIES OF CRIMINAL BEHAVIOR: In order to find the best ways to handle and prevent crime, examining why do people commit crime is very important. Many theories have appeared and are appearing since beginning of this study seeking to find the best solutions for this problem. Those theories are continuing and will always influence forensic/criminal psychologist's work. I will write a brief review of basic and other more or less popular theories of criminal behavior. Though these theories are eventually modified, I will try to be as accurate as possible.

Three broad models of criminal behaviors are the following: psychological, sociological and biological models. Actually, it is difficult to completely separate them and it is generally accepted, that all of them play a role in the interpretation of behavior. Though psychological principles can be applied across all the three models, they all have some specific ones, which would help in implementing across different crime control policies.

PSYCHOLOGICAL APPROACHES: There are several fundamental assumptions, that are common for all the psychological approaches to criminal behavior. These are the following:

- The individual is the primary unit of analysis. (Individual human being is considered to be responsible for acts he/she conducted)
- Personality drives behavior within individuals, because it is the major motivational element.
- Crimes can result from abnormal, dysfunctional or inappropriate mental processes within the individual's personality.
- An individual may have purpose of criminal behavior if it addresses certain felt needs.
- Normality is generally defined by social consensus, that is, what is considered as "typical," "normal," or "acceptable" by the majority of individuals in a certain social group.
- Defective or abnormal, mental processes may be caused by a variety of factors such as diseased mind, inappropriate learning or improper conditioning, the emulation of inappropriate role models, and adjustment to inner conflicts.

In short, crime control policy based on psychological principles targets individuals and tries to prevent criminal behavior from this point. Any policy aimed at preventing crime by targeting persons such as training, education, promotion of self-awareness, rehabilitation, resocialization or identification risks of criminal behavior are psychological in nature. In addition, psychologists have long recognized that the best predictor of future behavior is past behavior of the individual (Mischel, W. 1968).

SOCIOLOGICAL APPROACHES: In this approach scientists are examining criminal behavior from a sociological point of view. The majority of sociological theories believe, that the criminal behavior mainly is influenced by combination of social surrounding, political and economic factors. Offenders are not necessarily viewed as bad people, these theories trend to look at social context of a person's situation, examining his race, neighborhood, intelligence, education, family, political and media influence, income level, job and career, childhood history to determine why did he/she become criminal.There are many different theories seeking to explain criminal behavior such as: Social Structure Theory (which itself consists of Social disorganization, Strain and Cultural deviance theories) differential association, theory of anomie, neutralization theory, Social Control Theory and many others. The key idea of Differential association theory, created by Edwin H. Sutherland is, that criminal behavior is learned through communication with other people. Though that interaction Values, techniques and attitude to things is learned, that motivates future behavior and in the following case it is criminal act. Indeed, the more a person sees delinquent acts,

which are not criticized by the surrounding community, the higher is the chance of him/her committing such act.

According to social control theory, if social bounds of a person is weak, he/she will more likely conduct a criminal act, because people care what others thinks of them and try to conform with social expectations because of their attachment to others.

BIOLOGICAL APPROACHES: Biological theories purport, that criminal behavior is caused by some flaw in individual's biological makeup. According to Raine Study, the causes may be Heredity, Neurotransmitter dysfunction and brain abnormalities, which could be caused either by the first two or trauma. Many theories are sharing biological approaches such as: Trait and psychodynamic trait theories, Lombroso's Theory, Y Chromosome Theory and others.

There are several types of crime control, which involve artificial interference in human biology such as Psychosurgery, chemical methods of control, brain stimulation and others.

Psychodynamic therapy was developed by Sigmund Freud in the late 1800's and has then become a significant theory in the history of criminality (Siegel, 2005). Freud believed, that every individual carries "residue of the most significant emotional attachments of our childhood, which then guides our future interpersonal relationships" (Siegel, 2005) The theory is a three-part structure consisting of the id, the ego and the super ego. The id is considered the underdeveloped of primitive part of our markup. It controls our need for food, sleep and other basic instinct. This part is purely focused on instant gratification. The ego controls the id by setting up boundaries. The superego is the change of judging the situation through morality (Siegel, 2005)

Psychodynamic theorists believe that personality of offenders is id-dominated. Which means, that when they lose control of the ago their id of instant gratification takes over. Other problems causing control of the ego are poor social skills, excessive dependence on others, immaturity, etc.

Others believe, that offenders are moved by unconscious need to be punished by their previous sins. Consequently, "crime is a manifestation of feelings of oppression and people's inability to develop the proper psychological defense and rationales to keep these feelings under control" (Siegel).

WHITE- COLLAR CRIME

WHAT IS A 'WHITE-COLLAR CRIME'? White-collar crime refers to financially motivated nonviolent **crime** committed by business and government professionals. Within criminology, it was first defined by sociologist Edwin Sutherland in 1939 as "a **crime** committed by a person of respectability and high social status in the course of his occupation". White-collar crime is a nonviolent crime committed for financial gain. Securities fraud, embezzlement, corporate fraud and money laundering are examples of white-collar crime.

BREAKING DOWN 'WHITE-COLLAR CRIME' White-collar crime gets its name from the types of individuals who typically commit financial fraud, including business managers, fund managers and executives. Individuals can face prison time and steep fines if they are convicted of white-collar crimes. The federal government can also pursue financial damages from corporations and banks that commit white-collar crime on an institution-wide level.

EXAMPLE OF WHITE-COLLAR CRIME COMMITTED BY AN INDIVIDUAL:

One of the most well-known white-collar criminals is Bernard Madoff, who was convicted in 2009 of a massive fraud that cost investors $65 billion. Madoff, sentenced to 150 years in prison, ran an elaborate Ponzi scheme, which promised large returns on investments. For many years, Madoff used money from new investors to pay previous investors without actually investing the funds. Madoff's scheme fell apart when a significant number of investors demanded their money back, and Madoff was unable to pay them.

EXAMPLES OF CORPORATE WHITE-COLLAR CRIME:

Corporate white-collar crime usually involves a large-scale fraud perpetrated throughout the institution. For instance, Credit Suisse pleaded guilty in 2014 to helping U.S. citizens avoid paying taxes by hiding income from the Internal Revenue Service. The bank agreed to pay penalties of $2.6 billion. Also in 2014, Bank of America acknowledged it sold billions in mortgage-backed securities (MBS) tied to properties with inflated values. These loans, which did not have proper collateral, were among the types of financial misdeeds that led to the financial crash of 2008. Bank of America agreed to pay $16.65 billion in damages and admit to its wrongdoing.

ORGANIZED CRIME

Organized crime is a category of transnational, national, or local groupings of highly centralized enterprises run by criminals who intend to engage in illegal activity, most commonly for money and profit. Some criminal organizations, such as terrorist groups, are politically motivated. Sometimes criminal organizations force people to do business with them, such as when a gang extorts money from shopkeepers for so-called "protection". Gangs may become disciplined enough to be considered organized. A criminal organization or gang can also be referred to as a mafia, mob, or crime syndicate; the network, subculture and community of criminals may be referred to as the underworld.

Other organizations—including states, militaries, police forces, and corporations—may sometimes use organized-crime methods to conduct their activities, but their powers derive from their status as formal social institutions. There is a tendency to distinguish organized crime from other forms of crime, such as white-collar crime, financial crimes, political crimes, war crime, state crimes, and treason. This distinction is not always apparent and academics continue to debate the matter. For example, in failed states that can no longer perform basic functions such as education, security, or governance (usually due to fractious violence or to extreme poverty), organised crime, governance and war sometimes complement each other. The term "Parliamentary Mafiocracy" has been used[by whom?] to describe democratic countries whose political, social and economic institutions come under the control of a few families and business oligarchs.

In the United States, the Organized Crime Control Act (1970) defines organized crime as the unlawful activities of a highly organized, disciplined association. Criminal activity as a structured process is referred to as racketeering. In the UK, police estimate that organized crime involves up to 38,000 people operating in 6,000 various groups. Due to the escalating violence of Mexico's drug war, a report issued by the United States Department of Justice characterizes the Mexican drug cartels as the "greatest organized crime threat to the United States"

DISTINGUISH UNORGANIZED & ORGRANZIED CRIME

Ongoing conspiratorial enterprise engaged in illicit activities as a means of generating income (as black money). Structured like a business into a pyramid shaped hierarchy, it freely employs violence and bribery to maintain its operations, threats of grievous retribution (including murder) to maintain internal and external control, and thuggery and contribution to election campaigns to buy political patronage for immunity from exposure and prosecution. Its activities include credit card fraud, gun running, illegal gambling, insurance fraud, kidnapping for ransom, narcotics trade, pornography, prostitution, racketeering, smuggling, vehicle theft, etc.

With the arrival of international terrorism (with which it often has symbiotic relationship) and internet, organized crime now covers practically every nation and segment of society, and uses extremely sophisticated methods and credible front-organizations (such as charities and high-tech firms) in movement of large amounts of money and weaponry. Called by names such as cartel, mafia, syndicate, and triad, these establishments do not tolerate competition and constantly fight for monopolization in their specialty (such as drug trade) or geographical region. They are distinguished from the common (unorganized) crimes by characteristics such as
(1) non-random nature of criminal behavior,
(2) coordinated activities of hundreds or thousands of operatives,
(3) diversification of activity (production, supply, retail),
(4) regional, national, or transnational scale of operations,
(5) large volume of turnover (running into billions of dollars in some cases),
(6) pursuit of both profit and power, and
(7) usually an identifiable leadership. A 1975 UN definition of organized crime reads, "... large scale and complex criminal activity carried on by groups of persons, however loosely or tightly organized, for the enrichment of those participating and at the expense of the community and its members.

It is frequently accomplished through ruthless disregard of any law, including offences against the person, and frequently in connection with political corruption." Paul Nesbitt (head of Interpol's Organized Crime Group) defined it in 1993 as, "Any group having a corporate structure whose primary objective is to obtain money through illegal activities, often surviving on fear and corruption."

CORPORATE CRIME

In criminology, corporate crime refers to crimes committed either by a corporation (i.e., a business entity having a separate legal personality from the natural persons that manage its activities), or by individuals acting on behalf of a corporation or other business entity (see vicarious liability and corporate liability). Some negative behaviours by corporations may not actually be criminal; laws vary between jurisdictions. For example, some jurisdictions allow insider trading.

CORPORATE CRIME OVERLAPS WITH:

- white-collar crime, because the majority of individuals who may act as or represent the interests of the corporation are white-collar professionals;

- organized crime, because criminals may set up corporations either for the purposes of crime or as vehicles for laundering the proceeds of crime. The world's gross criminal product has been estimated at 20 percent of world trade. (de Brie 2000); and
- state-corporate crime because, in many contexts, the opportunity to commit crime emerges from the relationship between the corporation and the state.

NORMS AND VALUES

VALUES: In human society we are all taught from an early age the difference between right and wrong. Values are therefore general beliefs in what we deem to be right and wrong. An example of a value which is adopted in most countries is that everyone has the right to live in peace without the risk of harm, torment or abuse, irrelevant of cultural, ethnic or other varying differences. We therefore as people in general, seek to strive forward with these values in mind and to adopt them in everyday life.

NORMS: Norms unlike values are not about what is considered right and wrong, but more about the actions which are deemed acceptable in a given social situation. It is often expected for example that when you go to work in an office you will wear a suit, although I appreciate that in today's world this is not always the case. Another example is the way in which you interact with people in a social situation. It would be seen as very strange if you began laughing incoherently in the middle of a funeral, or for that matter began making jokes about death. If this were to happen you would be seen as very strange and probably rejected by that group.

Norms are very volatile things which change from situation to situation and therefore one cannot adopt any hard rules regarding them, as they are adopted through experience of life and often by making a great many mistakes.

CLASSICAL SCHOOL OF THOUGHT

Classical School is Born. The Classical School of Criminology was brought to light in the late 1700s and early 1800s. The legal systems around the 1700s did not work very well. The legal systems were subjective, corrupt, and harsh up to the time of the development of the Classical School of Criminology. (Cullen & Agnew, 2003) These unacceptable conditions led to a revolt against the arbitrary, harsh, corrupt system, thus allowing for new ideas and insight to be put forth. (Jeffery C. R., 1956) Enlightenment is a place where the Classical School set it roots and alleged that humans are rational beings and that crime is the result of free will in a risk versus reward position. There were many people who helped shape the Classical School of Criminology. Two of the most important of these people to shape the Classical School of Criminology are Cesare Beccaria and Jeremy Bentham. With the principles of Cesare Beccaria and the philosophies of Jeremy Bentham, the Classical School of Criminology was erected and put into effect.

Cesare Beccaria. The Classical School of Criminology was founded by Cesare Beccaria, an Italian theorist. Beccaria was born an Aristocrat in Milan, Italy on March 15th, 1738. Being an Aristocratic is simply, being born wealthy or of high social class, usually, having a title. He received a degree in 1758. Against his parent's wishes three years later, in 1761, he married Teresa di Blasco.

At this time in life, he and two of his friends, Pietro and Alessandro Verri, formed the society called "Academy of Fists.". The mission of this group was to wage a relentless was against things such as economic disorder, bureaucratic petty tyranny, religious narrow mindedness,

and intellectual pedantry. Encouragement from the members of "Academy of Fists" led Beccaria started to read open-minded authors of England and France and with that Beccaria began writing essays that the members of the "Academy of Fists" had assigned to him. (Florida State University, 2013)*On Remedies for the Monetary Disorders of Milan in the Year of 1762* was Beccaria's first publication. (Florida State University, 2013)

Of the essays written by Beccaria with the help of his friends, *On Crimes and Punishments* is Beccaria's most noted essay. *On Crimes and Punishments* was originally titled *Dei deliti e delle pene.*. As Beccaria wrote, the members of "Academy of Fists" recommended the topic, gave him the information, elaborated on the subject matter, and arranged his written words together into a readable work.

There are ten principles that are used to summarize Beccaria's arguments and ideas that he thought would make the criminal justice system work in a more efficient, effective, and all-around nondiscriminatory way. These principles are outlined in *Theoretical Criminology* written by George Vold, Thomas Bernard, and Jeffery Snipes. He felt that legislatures should define the crimes and set forth the punishments for the specific crimes, instead of allowing the laws to be vague and left to the discretion of the judicial system. Because judges had an immense amount of discretion when ruling over proceedings, Beccaria suggested that judge's only task should be to determine guilt or innocence and then follow the predetermined sentence set forth by the legislature.

Beccaria also implied that all factors except the impact on society was immaterial in determining the seriousness of crime, therefore, impact on society should be used to determine the significance of the crime. The next principle brought forth by Beccaria was that of proportionality. He felt that that the punishment of the crime should be proportionate to the seriousness of the crime. In other words, the "time should fit the crime." Beccaria thought that the purpose of punishment should not be retribution, instead he believed punishment should be based on deterrence. He felt that if people saw punishments being carried out, it would allow onlookers to be deterred from criminal activity. When the harshness of the punishment exceeds the necessity to achieve deterrence, Beccaria believed that it was unreasonable. Beccaria thought torture was inappropriate and allowed for the weak to incriminate themselves and the strong would be found innocent before they were adjudicated. This unjust punishment inflicted on offenders allowed crime to be increased instead of deterred. Beccaria also called for adjudication and punishments to occur quickly. He felt that if a crime was committed and the offender was adjudicated in a prompt manner that the concept of crime and punishment would be associated with each other. Beccaria thought if a punishment was certain then society would have a better impression of the criminal justice system. This allowed potential offenders to know the punishment before making a rational decision to commit crime.

Beccaria pushed for laws to be published so that the public would be aware of the laws, know the purpose for the laws, and know the punishments set forth by the laws. He also accentuated torture and secret accusations be abolished or eliminated because they were cruel and unusual punishments. Beccaria called for imprisonment instead of capital punishment or the death penalty. He also emphasized jails becoming more human and the distinction between the elite and the underprivileged be eradicated from the law. This was based on the idea of sovereignty lying in the hands of the people and all members of society being seen and treated equally in the application of the law.

Jeremy Bentham. Jeremy Bentham was born in 1748. Bentham's mother died when he was eleven and he never had good relationships with any other women. The women in his family were devout and superstitious, thus he was raised in an atmosphere of ghost stories and was plagued by "diabolical visions." He never married, but he did propose to one woman when he was fifty-seven years old, but the lady rejected the proposal.

Bentham started putting together an all-inclusive code of ethics. The issue he came across was he thought the task was too non-utilitarian, so he placed prominence on the real problem of eradicating or at least diminishing crime. Bentham created the concept of the hedonistic calculus, because he believed in the person's capability to judge the impact of punishment on themselves and their ability to make a choice regarding the pursuance of pleasure and the evasion of pain. The hedonistic calculus defined as the idea that the main objective of an intelligent person is to achieve the most pleasure and the least pain and that the individuals are constantly calculating the pluses and minuses of their potential actions.

Since Bentham believed in the hedonistic calculus and a person's ability to make a rational decision regarding a pleasure versus pain calculation, he conjectured that the punishment for crimes should prevail over the pleasure the person would get from committing the criminal activity. The free-will idea of the Classical School therefore added to Bentham's idea that the penalties of the criminal actions would be considered before the actions were taken. That meant that the person would ultimately be deterred from the actions that criminal activity the person would have made had they not be a free-will, rational person.

What the Classical School did for Criminology. The Classical School of Criminology is known as the first organized theory of crime that links causation to appropriate punishments. The classical school followed Beccaria's ideology which focused on crime, not the criminal. The Classical School of Criminology focused on the principle of deterrence instead of punishment. The Classical School of Criminology came up with important theories for the behavior of criminals that is still commonly used today.

Specific Theories within the Classical School. Many things came about because of the creation of the Classical School of Criminology. One of the most important things that came from the Classical School of Criminology was the theories that arose from it. Three of the theories that came from the Classical School of Criminology are the Rational Choice Theory, Routine Activities Theory, and Deterrence Theory. These theories came from the Classical School of Criminology, but are still used to explain criminal behavior in criminology today.

Rational Choice Theory. Rational Choice Theory is defined as a perspective that holds that criminality is the result of conscious choice and predicts that individuals chose to commit crime when the benefits outweigh the costs of disobeying the law. Rational Choice Theory is basically a cost benefit analysis between crime and punishment relying on the freewill decision from the offender. There were two theories that came from Rational Choice Theory. Those two theories are Routine Activities Theory and Situational Choice Theory.

Routine Activities Theory. Routine Activities Theory has three principle elements. (Baxter, 2013) Those three key elements for the Routine Activities Theory are a motivated offender, an attractive target, and a lack of a capable guardian. It is said people's daily routine and activities affect the chances that they will be an attractive target who encounters an offender in a situation where no effective guardian is present. Routine Activities Theory has a strong emphasis on victimization. Different changes in routine activities in society can affect the crime rates. Some examples of this is working women or college classes starting after a summer break.

Situational Choice Theory. Situational Choice Theory comes from the ideals of the Rational Choice Theory. Situational Choice Theory is known to be an outlook on the view criminal behavior "as a function of choices and decisions made within a context of situational constraints and opportunities." This means that in certain situations or constraints a person may act one way, but in any other situation the person would not act in that way. The Situational Choice Theory is largely an extension of the rational choice theory.

POSITIVIST SCHOOL OF CRIMINOLOGY

HISTORY: In the late 1800s the Classical School of Criminology came under attack, thus leaving room for a new wave of thought to come about. (Cullen & Agnew, 2003) There were three causations for the attack of the Classical School. These causations were crimes appeared to be increasing even though changes in the legal system had taken place, punished offenders were recidivating, and the theory of an offender being a rational, self-interested person who chose to engage in crime was challenged by the biological sciences. (Cullen & Agnew, 2003) Each of these events brought on a new school of criminology that came to be known as the Positivist School of Criminology.

Cesare Lombroso. Cesare Lombroso was born in 1835 and died seventy four years later in 1909. Lombroso was an Italian physician who founded the Positivist School of Criminology in the nineteenth century. Lombroso researched the links between criminality and physical attributes. Lombroso came up with the "Criminal Man," which outlined what he studied and deemed to be the traits of a criminal. These traits of the "Criminal Man" were: not being developed sufficiently mentally, having long arms, large amounts of body hair, prominent cheekbones, and large foreheads. In his book, *The Criminal Man*, Lombroso suggested that criminals were biologically in a different stage in the evolution process than the counterpart non-criminals.

Later on Lombroso added that it may not be just a physical division on whether or not a person would be a criminal. He believed that there are three major classes of criminals: born criminals, insane criminals, and criminaloids. Born criminals were thought to be one third of the criminals which were a more primitive evolutionary form of development. Insane criminals were the idiots, paranoiacs, and those affected with dementia, alcoholism, hysteria and other types of mental complications. Lastly, criminaliods are considered a large general class without specificities on physical characteristics or mental disorders, but sometimes tend to be involved in rancorous and criminal behavior.

Out Comes the Positivist School of Criminology. Lombroso did not come up with the Positivist School of Criminology on his own. With the help of Ferri and Goring the Positivist School of Criminology was created. Lombroso started with the idea that criminals are born, but later recognized other factors are important. (Jeffery C. R., 1959) Ferri is credited with emphasizing the importance of anthropological and social factors along with the physical factors. (Jeffery C. R., 1959) Goring is acknowledged as recognizing that a criminal is physically and mentally deficient to the non-criminal. (Jeffery C. R., 1959)

What the Positivist School did for Criminology. The Positivist School of Criminology linked biological, psychological, and sociological theories to criminal behavior. It brought to light that there are several factors involved in criminality. The Positivist School of Criminology held that crime is caused or determined by the individual. The Positivist School of Criminology used science to determine factors that were associated with crime and criminality.

Specific Theories within the Positivists School. As with the Classical School, the Positivist School of Criminology have several important theories that the scholars of that time and today used to explain the behavior of criminals. The three categories of the theories used in the Positivist School are biological theories, psychological theories, and sociological theories.

Biological Theories. Biological theories are based on a person's biological and hereditary identity. These theories imply that it is not entirely the criminal's fault, but their biological make up that makes them identify with criminality. Lombroso suggests what he feels is a

typical criminal in his book the *Criminal Man*, in which he describes traits and characteristics of prisoners that he identifies with criminality.

*Psychological Theories.*Psychological theories deal with a person's mental being. In psychological theories the individual is the unit of analysis. It is believed that crimes are the result of abnormal, dysfunctional, or inappropriate mental processes within the personality of the individual. (Seiken, 2014) Therefore, it is believed that criminal behavior may be purposeful for the individual because it addresses certain felt needs.

Sociological Theories. Sociological Theories associate a criminal's behavior with the social constructs surrounding the individual. Sociological theories are structured and based on the environment around the individual. This is the people that are in close or intimate contact with the individual, the environment(s) in which the individual is in constant contact with, and the way the individual has been taught. Social structure and context, as well as sociological theories are an important part of analyzing a criminal's behavior.

FURTHER EXPLAINED:

POSITIVIST SCHOOL OF THOUGHT

Heather is confused. Her friend Bruce stole some money from someone and is now in jail. Heather can't figure out what led Bruce to commit such a crime. Why would Bruce become a criminal, while Heather obeys the law? What's different about them?

Criminology is the study of crime and punishment. It tries to answer the question, 'Why do people commit crimes?' There are, of course, many different ways to try to answer that question. Let's look closer at one school of thought, the positivist school of criminology, and the different types of positivism.

POSITIVISM

When Heather thinks about what Bruce did, she first thinks that he must have decided that the money was worth the punishment. She thinks that he must have thought about what might happen if he got caught and still chose to commit the crime. But then Heather thinks about herself. Even if she needed money and the risk of getting caught was very low, she still wouldn't steal.

These two ways of looking at crime illustrate the difference between two of the major theories of criminology. The **classical school of criminology** says that people are rational and that they will weigh the pros and cons of committing a crime. If the pros outweigh the cons, the classical school believes that the person is likely to commit the crime. When Heather thinks that Bruce must have considered his options and rationally chose to commit the crime, she's thinking like a classical theorist.

But then Heather thinks that she'd never commit the crime, even if the pros far outweighed the cons. This is support for the positivist theory of crime. The **positivist school of criminology** says that criminals act in a different way than non-criminals and that they have their own distinct set of characteristics.

TYPES OF POSITIVISM

Heather is thinking more and more like a positivist theorist. It just seems like Bruce is fundamentally different than she is, and so she believes that perhaps criminals really are

different from non-criminals. But what causes them to be different? Why is Bruce the way he is, and Heather the way she is? There are **three major types of positivism**. They are:

1. Biological positivism says that people commit crimes because of a biological abnormality. This might be a specific gene, or it could be a difference in their brains. For example, perhaps Bruce has less activity in the area of his brain that encourages empathy, so he is more willing to hurt other people to get what he wants. The biological perspective can be traced back to Cesare Lombroso, an Italian who, in the mid-1800s, first said that there were likely biological differences in criminals.

2. Psychological positivism believes that psychological issues cause people to commit crimes. For example, perhaps Bruce has a mental illness that caused him to act the way he did.

Both the biological and psychological perspectives are considered to be under the umbrella of individual positivism, because they look at the individuals and what makes them commit crimes.

WIKIPEDIA APPROACH

In criminology, the **Positivist School** has attempted to find scientific objectivity for the measurement and quantification of criminal behavior. As the scientific method became the major paradigm in the search for knowledge, the Classical School's social philosophy was replaced by the quest for scientific laws that would be discovered by experts. It is divided into Biological, Psychological and Social.

Contents

1 Biological positivism

1.1 Physical characteristics

1.2 Intelligence

1.3 Other medical factors

2 Psychological positivism

3 Social positivism

BIOLOGICAL POSITIVISM:

PHYSICAL CHARACTERISTICS: Historically, medicine became interested in the problem of crime, producing studies of physiognomy (see Johann Kaspar Lavater and Franz Joseph Gall) and the science of phrenology which linked attributes of the mind to the shape of the brain as reveal through the skull. These theories were popular because they absolved society and any failures of its government of responsibility for criminal behavior. The problem lay in the propensities of individual offenders who were biologically distinguishable from law-abiding citizens. This theme was amplified by the Italian School and through the writings of Cesare Lombroso (see L'Uomo Delinquente, The Criminal Man and Anthropological criminology) which identified physical characteristics associated with degeneracy demonstrating that criminals were atavistic throwbacks to an earlier evolutionary form. Charles Goring (1913) failed to corroborate the characteristics but did find criminals shorter, lighter and less intelligent, i.e. he found criminality to be "normal" rather than "pathological"

(cf the work of Hooton found evidence of biological inferiority). William Sheldon identified three basic body or somatotypes (i.e. endomorphs, mesomorphs, and ectomorphs), and introduced a scale to measure where each individual was placed. He concluded that delinquents tended to mesomorphy. Modern research might link physical size and athleticism and aggression because physically stronger people have the capacity to use violence with less chance of being hurt in any retaliation. Otherwise, such early research is no longer considered valid. The development of genetics has produced another potential inherent cause of criminality, with chromosome and other genetic factors variously identified as significant to select heredity rather than environment as the cause of crime (see: nature versus nurture). However, the evidence from family, twin, and adoption studies shows no conclusive empirical evidence to prefer either cause.

INTELLIGENCE: There are a number of reputable studies that demonstrate a link between lower intelligence and criminality. But the evidence is equivocal because studies among the prison population simply test those criminals actually caught, which might be because they failed to plan the crimes properly or because they were unable to resist interrogation techniques and admitted their crimes. If their intelligence is poor, they are also less likely to be deterred.

OTHER MEDICAL FACTORS: Testosterone and adrenaline have been associated with aggression and violence, and the arousal and excited state associated with them. The excessive consumption of alcohol can lower blood sugar levels and lead to aggressiveness, and the use of chemicals in foods and drinks has been associated with hyper-activity and some criminal behaviour.

PSYCHOLOGICAL POSITIVISM Sigmund Freud divided the personality into the id, the primitive biological drives, the superego, the internalised values, and the ego, memory, perception, and cognition. He proposed that criminal behaviour is either the result of mental illness or a weak conscience. John Bowlby proposed an attachment theory in which maternal deprivation was a factor that might lead to delinquency. This has been discounted in favour of general privation (Michael Rutter: 1981) or "broken homes" (Glueck: 1950) in which absentee or uncaring parents tend to produce badly behaved children.

Hans Eysenck (1987) stated that, "... certain types of personality may be more prone to react with anti-social or criminal behaviour to environmental factors of one kind or another." He proposed three dimensions of personality: introversion/extroversion, neuroticism, and psychoticism. For these purposes, personality is the settled framework of reference within which a person addresses the current situation and decides how to behave. Some traits will be dominant at times and then in a balanced relationship to other traits, but each person's traits will be reasonably stable and predictable (see Marshall: 1990 and Seidman: 1994). Hence, once conditioned into a criminal lifestyle, the relevant personality traits are likely to persist until a countervailing conditioning force re-establishes normal social inhibitions. Some forms of criminal behavior such as sexual offences, have been medicalised with treatment offered alongside punishment.

SOCIAL POSITIVISM In general terms, positivism rejected the Classical Theory's reliance on free will and sought to identify positive causes that determined the propensity for criminal behaviour. Rather than biological or psychological causes, this branch of the School identifies "society" as the cause. Hence, environmental criminology and other sub-schools study the spatial distribution of crimes and offenders (see Adolphe Quetelet, who discovered that crimes rates are relatively constant, and the Chicago School which, under the leadership of Robert E. Park, viewed the city as a form of superorganism, zoned into areas engaged in a continuous process of invasion, dominance, and succession). Meanwhile, Émile Durkheim identified society as a social phenomenon, external to individuals, with crime a normal part of

a healthy society. Deviancy was nothing more than "boundary setting," pushing to determine the current limits of morality and acceptability.

SOCIAL DISORGANIZATION THEORY EXPLAINED

In the 1942, two criminology researchers from the "Chicago School" of criminology, Clifford Shaw and Henry D. McKay developed social disorganization theory through their research. The theory of social disorganization states a person's physical and social environments are primarily responsible for the behavioral choices that a person makes. At the core of social disorganization theory, is that location matters when it comes to predicting illegal activity. Shaw and McKay noted that neighborhoods with the highest crime rates have at least three common problems, physical dilapidation, poverty, and higher level of ethnic and culture mixing. Shaw and McKay claimed that delinquency was not caused at the individual level, but is a normal response by normal individuals to abnormal conditions. Social disorganization theory is widely used as an important predictor of youth violence and crime.

SOCIAL DISORGANIZATION THEORY AND DELINQUENCY

"Poverty is the mother of crime."…Marcus Aurelius

Shaw and McKay discovered that there were four (4) specific assumption as an explanation of delinquency. The first assumption is the collapse of community based-based controls and people living in these disadvantaged neighborhoods are responding naturally to environmental conditions.

The second is the rapid growth of immigration in urban disadvantage neighborhoods.

The third is business located closely to the disadvantaged neighborhoods that are influenced by the "ecological approach" of competition and dominance.

The fourth and last assumption is disadvantaged urban neighborhoods lead to the development of criminal values that replace normal society values.

Social disorganization theory suggest that a person's residential location is more significant than the person's characteristics when predicting criminal activity and the juveniles living in this areas acquire criminality by the cultures approval within the disadvantaged urban neighborhoods. Therefore, location matters when it comes to criminality according to social disorganization theory.

The Future of the Theory Social disorganization theory has received a lot of attention within criminology discipline since the theory was first introduced in 1942. Many studies in U.S. large cities have duplicated the findings of Shaw and McKay orginal study. Social disorganization theory studies can help government and law enforcement policy-makers make informed decisions from the evidence to form strategies that help prevent criminal activity in disadvantaged communities to make it safer for all.

CRITICALLY EXPLAINED Social disorganization theory pioneers Clifford X. Shaw and Henry W. McKay suggested that disorganized communities characterized by poverty, ethnic heterogeneity, residential mobility weakened social stability (Kelly, 2000; Messner, Bauo).

In light of the social problems plaguing Chicago and its suburbs, Shaw and McKay studied the prevalent local crime and delinquency. Building on "an ecological theory of urban dynamics," social disorganization theory aimed to explain the larger ratio of delinquency that occurred in certain Chicago neighborhoods (Cantillon, Davidson, & Schweitzer, 2003, p.

322). Shaw and McKay "discovered that high delinquency rates persisted in certain Chicago neighborhoods for long periods of time despite changes in the racial and ethnic composition of these communities—a finding that led to the conclusion that neighborhood ecological conditions shape crime rates over and above the characteristics of individual residents" (Kubrin & Weitzer, 2003, p. 374). Further, their study revealed that high rates of crime occur in those communities that exhibit declining populations and physical deterioration (Jensen, 2003).

At its core, social disorganization theory focuses on the effects of location and location-specific characteristics as they relate to crime (Mustaine, Tewksbury, & Stengel, 2006). Neighborhoods lacking organization lack the necessary social controls and are unable to provide essential services. This leads to an inability of the community to control its public, which is why "one way to define social disorganization is to view such places as unable to maintain public order through informativeness. In fact, "defined in terms of the absence or breakdown of certain types of relationships among people," social disorganization theory "is intimately tied to conceptions of those properties of relationships that are indicative of social or communal 'organization'" (Jensen, 2003, p. 1).

The question then becomes: How effective is social disorganization theory in explaining criminal behavior? There are five criteria used in evaluating theories, which demonstrate whether the theory makes sense in the simplest way of explaining crime and whether the theory is able to be tested to deliver true and valid results. In greater detail, each of the five criteria is applied to social disorganization theory as follows:

1. Logical consistency: Social disorganization theory makes sense; its assumptions are logically consistent.
2. Scope: While aiming to explain a broad range of phenomenon, the scope of social disorganization theory is an effective tool to be used in critical analysis of criminal behavior.
3. Parsimony: Social disorganization theory is simple and easy to comprehend as demonstrated by the name of the theory itself.
4. Testability: As seen with the early studies of Shaw and McKay as well as more recent efforts, it is clear that social disorganization theory is able to be tested and is not limited in its scientific value.
5. Empirical validity: Shaw and McKay's study supported the research as did the more recent efforts of Elizabeth Ehrhardt Mustaine, Richard Tewksbury, and Kenneth M. Stengel in their 2006 study of registered sex offenders, illustrating the validity of social disorganization theory.

Because social disorganization theory is effective within the scope of the aforementioned criteria, it follows that the theory is useful in the real word and, therefore, has possible public policy implications. The most important of which should be to organize those communities that are disorganized. Services should be offered to community residents; for example, the residents of a disorganized community should be aided in owning and maintaining homes. Also, recreation programs and other community organizations should be created to deter delinquent activity and increase community involvement. By improving neighborhoods and making them more appealing, social controls will be strengthened. In addition to leading to the improvement and organization of communities, social disorganization theory is a useful tool for analysis, which is why it has historically been "the predominant theory of the spatial location of crime has been social disorganization theory" (Rice & Smith, 2002, p. 306).

Despite its early origins, social disorganization theory continues to be a prominent tool in the study of criminal behavior. In fact, Charis E. Kubrin and Ronald Weizer suggest that "social disorganization theory has experienced a renaissance in recent years" and that the theory may actually be stronger now than when it was first put forward (2003, p. 397). Perhaps, "the need

to accurately and validly measure the level of community social organization" (Cantillon, Davidson, & Schweitzer, 2003, p. 321) prompted the recent resurgence of social disorganization theory.

Regardless of what brought about the rebirth of social disorganization theory, it is clear that the theory is not going anywhere as evidenced by recent studies. For example, in 2002, Kennon J. Rice and William R. Smith used social disorganization theory in an attempt to explain patterns of automobile theft. Then, in 2003, Jodi Lane and James W. Meeker used the theory to study the correlation between social disorganization, gangs, crime, and fear. Even more recently, Elizabeth Ehrhardt Mustaine, Richard Tewksbury, and Kenneth M. Stengel (2006) used social disorganization theory as a guide in evaluating the characteristics of neighborhoods where registered sex offenders reside in an effort to determine whether registered sex offenders are likely to live in areas with greater social disorganization.

As suggested by the recent body of research and the studies that came before, social disorganization theory continues to dominate in explaining the influence of neighborhood characteristics—specifically, poverty, racial/ethnic heterogeneity, and residential mobility—on crime rates. Looking to the future, social disorganization theory will continue to be applied to different types of crime and will continue to aid criminologists and social scientists in their analysis of criminal behavior.

CRIME & PUNISHMENT IN ISLAM

Security and stability are basic human needs, no less important than food and clothing. Without security and stability, a human being is not able to properly conduct his daily life, let alone come up with new ideas or contribute to the development of a high level of civilization.

Man has been conscious of the need for security since the beginning of his life on Earth, and he has continuously expressed his awareness of this need in many ways. With the formation and evolution of human society, he has expressed this and other needs through the establishment of a state and the formation of laws. This was accomplished in order to ensure general security, settle disputes and conflicts that threaten society, and oppose external threats to its security posed by other nations. The development of these man-made laws did not come to completion except in the last few centuries as the result of a long process of trial and error.

By contrast, the Law of Islam was sent down to Muhammad, may the mercy and blessings of God be upon him, in its complete form as part of His final message to humanity. Islamic Law pays the most careful attention to this matter and provides a complete legal system. It takes into consideration the changing circumstances of society as well as the constancy and permanence of human nature. Consequently, it contains comprehensive principles and general rules suitable for dealing with all the problems and circumstances that life may bring in any time or place. Likewise, it has set down immutable punishments for certain crimes that are not affected by changing conditions and circumstances. In this way, Islamic Law combines between stability, flexibility, and firmness.

From what angle does Islam approach combating crime? What are the principles that the Islamic penal code is based upon? What are the distinguishing features of this code? What are the measures that it employs to combat crime? What types of punishments exist in Islam? What are the objectives behind their being legislated? These are the questions that will be dealt with in the following pages.

THE ISLAMIC APPROACH TO COMBATING CRIME

The ultimate objective of every Islamic legal injunction is to secure the welfare of humanity in this world and the next by establishing a righteous society. This is a society that worships God and flourishes on the Earth, one that wields the forces of nature to build a civilization wherein every human being can live in a climate of peace, justice and security. This is a civilization that allows a person to fulfill his every spiritual, intellectual, and material need and cultivate every aspect of his being. This supreme objective is articulated by the Quran in many places. God says:

"We have sent our Messengers with clear signs and have sent down with them the book and the criterion so that man can establish justice. And we sent down iron of great strength and many benefits for man..." (Quran 57:25)

And He says:

"…God wants ease for you, not hardship..." (Quran 2:185)

And He says:

"God wants to make things clear for you and to guide you to the ways of those before you and to forgive you. God is the All knowing, the Wise. God wants to forgive you and wants those who follow their desires to turn wholeheartedly towards (what is right). God wants to lighten your burdens, and He has created man weak." (Quran 4:26-28)

And He says:

"God commands justice, righteousness, and spending on ones relatives, and prohibits licentiousness, wrongdoing, and injustice…" (Quran 16:90)

Since the Islamic legal injunctions are aimed at achieving human welfare, they can all be referred back to universal principles which are necessary for human welfare to be secured. These universal principles are:

1. The preservation of life.

2. The preservation of religion.

3. The preservation of reason.

4. The preservation of lineage.

5. The preservation of property.

The Islamic penal system is aimed at preserving these five universal necessities. To preserve life, it prescribes the law of retribution. To preserve religion, it prescribes the punishment for apostasy. To preserve reason, it prescribes the punishment for drinking. To preserve lineage, it prescribes the punishment for fornication. To preserve wealth, it prescribes the punishment for theft. To protect all of them, it prescribes the punishment for highway robbery.

It should therefore become clear to us why the crimes for which Islam for which the Law has prescribed fixed punishments are as follows:

1. Transgression against life (murder or assault).

2. Transgression against property (theft).

3. Transgression against lineage (fornication and false accusations of adultery).

4. Transgression against reason (using intoxicants).

5. Transgression against religion (apostasy).

6. Transgression against all of these universal needs (highway robbery).

DISTINGUISHING FEATURES OF THE ISLAMIC PENAL SYSTEM

In the aforementioned principles, Islamic Law and contemporary law coincide, though Islamic Law has the distinction of being first. However, the Islamic penal system also has unique virtues and distinguishing features, among the most important of which are the following:

1. The inner deterrent of man's moral conscience is fully integrated with external supervision. This is due to the fact that Islamic Law, when dealing with social problems such as crime, does not rely merely on legislation and external deterrents. It focuses more on the internal deterrent, placing the greatest emphasis on man's moral conscience. It endeavors to develop this conscience within a person from childhood so that he can be brought up with the noblest moral character.

It promises success and salvation for those who work righteousness and warns wrongdoers of an evil fate. In this way, it stirs up emotions, making a criminal renounce his ways by inspiring him with faith in God, hope for divine mercy, fear of divine punishment, adherence to moral virtues, love for others, and a desire to do good to others and refrain from causing injury and harm.

2. It has a balanced outlook with respect to the relationship between the individual and society. This becomes clear from the fact that while the Divine Law protects society by legislating punishments and preventative measures against crimes, it does not marginalize the individual for the sake of society. On the contrary, its priority is the protection of the individual, his freedom, and his rights. It provides every safeguard to leave no excuse for a person to have to resort to crime. It does not set out to punish without first preparing for the individual a situation conducive to a virtuous and happy life.

FORMS OF PUNISHMENT IN ISLAM

Islamic Law, in confronting the problems of life and setting down solutions for them, is established on two complimentary principles. These are: the stability and permanence of its basic tenets on the one hand and the dynamism of its subsidiary injunctions on the other.

For the unchanging aspects of life, Islamic Law brings fixed statutes. For the dynamic aspects of life that are affected by social development, broadening horizons, and advances in knowledge, Islamic Law comes with general principles and universal rules capable of being applied in a number of different ways and in a variety of circumstances.

When we apply these principles to the penal system, we find that Islamic Law has come with clear texts prescribing fixed punishments for those crimes that no society is free of, crimes that do not vary in their forms because they are connected with the constant and unchanging factors of human nature.

Islamic Law confronts other crimes by stating the general principle that decisively indicates their prohibition, leaving the punishment to be decided by the proper political authority in society. The political authority can then take the particular circumstances of the criminal into consideration and determine the most effective way to protect society from harm. In accordance with this principle, punishments in Islamic Law are of three types:

1. Prescribed punishments

2. Retribution

3. Discretionary punishments

PRESCRIBED PUNISHMENTS

Crimes that fall under this category can be defined as legally prohibited acts that God forcibly prevents by way of fixed, predetermined punishments, the execution of which is considered the right of God.

These punishments have certain peculiarities that set them apart from others. Among these are the following:

1. These punishments can neither be increased nor decreased.

2. These punishments cannot be waived by the judge, the political authority, or the victim after their associated crimes have been brought to the attention of the governing body. Before these crimes are brought before the state, it may be possible for the victim to pardon the criminal if the damage done was only personal.

3. These punishments are the 'right of God', meaning that the legal right involved is of a general nature where the greater welfare of society is considered.

The following crimes fall under the jurisdiction of the fixed punishments:

1. THEFT Theft is defined as covertly taking the wealth of another party from its secure location with the intention of taking possession of it.

2. HIGHWAY ROBBERY Highway robbery is defined as the activity of an individual or a group of individuals who go out in strength into the public thoroughfare with the intention of preventing passage or with the intention of seizing the property of passers-by or otherwise inflicting upon them bodily harm.

3. FORNICATION AND ADULTERY This is defined as any case where a man has coitus with a woman who is unlawful to him. Any relationship between a man and a woman that is not inclusive of coitus does not fall under this category and does not mandate the prescribed, fixed punishment.

4. FALSE ACCUSATION This is defined as accusing the chaste, innocent person of fornication or adultery. It also includes denying the lineage of a person from his father (which implies that his parents committed fornication of adultery). False accusation includes any claim of fornication or adultery that is not backed up by a proof acceptable to Islamic Law.

5. DRINKING One of the most important objectives of Islam is the realization of human welfare and the avoidance of what is harmful. Because of this, it "permits good things and prohibits harmful things." Islam, thus, protects the lives of people as well as their rational

faculties, wealth, and reputations. The prohibition of wine and the punishment for drinking it are among the laws that clearly show Islam's concern for these matters, because wine is destructive of all the universal needs, having the potential to destroy life, wealth, intellect, reputation, and religion.

God says: "O you who believe! Verily wine, gambling, idols, and divination are but the abominations of Satan's handiwork, so abandon these things that perchance you will be successful. Satan only wishes to cause enmity and hatred between you through wine and gambling and to prevent you from the remembrance of God and prayer. Will you not then desist?" (Quran 5:90-91)

6. APOSTASY Apostasy is defined as a Muslim making a statement or performing an action that takes him out of the fold of Islam. The punishment prescribed for it in the Sunnah is execution, and it came as a remedy for a problem that existed at the time of the Prophet, may the mercy and blessings of God be upon him. This problem was that a group of people would publicly enter into Islam together then leave Islam together in order to cause doubt and uncertainty in the hearts of the believers. The Quran relates this event to us:

"A group from the People of the Scripture said: 'Believe in what is revealed to those who believe at the beginning of the day, then disbelieve at the end of the day, so perhaps they might return from faith." (Quran 3:72)

Thus, the prescribed punishment for apostasy was instituted so that apostasy could not be used as a means of causing doubt in Islam.

At the same time, the apostate is given time to repent, so if he has a misconception or is in doubt about something, then his cause of doubt can be removed and the truth clarified to him. He is encouraged to repent for three days.

2. Retribution

This is the second type of punishment in Islamic Law. This is where the perpetrator of the crime is punished with the same injury that he caused to the victim. If the criminal killed the victim, then he is killed. If he cut off or injured a limb of the victim, then his own limb will be cut off or injured if it is possible without killing the criminal. Specialists are used to make this determination.

Important Rules Regarding Retribution

1. Retribution is not lawful except where the killing or injury was done deliberately. There is no retribution for accidentally killing or injuring someone. God says:

"O you who believe, retribution is prescribed for you in the case of murder..." (Quran 2:178)

And He says:

"…There is retribution in wounds..." (Quran 5:45)

2. In the crimes where the criminal directly transgresses against another, Islam has given the wish of the victim or his family an important role in deciding whether or not the punishment should be carried out. Islam permits the victim to pardon the perpetrator, because the punishment in these crimes is considered the right of the victim. Islam even encourages pardon, promising a reward in the hereafter for the one who does. God says:

"If anyone waives the right to retaliation out of charity, it shall be an expiation for him." (Quran 5:45)

The pardon can either be to the payment of blood money, a fixed, monetary compensation, or can be total, where no worldly compensation is demanded. God says:

"To forgive it is closer to piety..." (Quran 2:237)

3. The punishment must be carried out by the government. The family of the victim cannot carry it out.

The Wisdom behind Retribution:

With regard to Islamic punishments in general, and retribution in specific, we find that they have two complementary characteristics. The first of these is the severity of the punishment. This is in order to discourage the crime and limit its occurrence.

The second characteristic is the difficulty of establishing guilt, reducing the opportunities for carrying out the punishment, and protecting the accused. In this vein, we see the principle that punishments are waived in the presence of doubt, and that the benefit of the doubt is always given to the accused. Some prescribed punishments are even waived on the grounds of repentance, as we can see in the case of highway robbery. This is also seen in the permissibility of pardon in the case of retribution and the fact that pardon is encouraged and preferred.

These two elements complement each other in that crime is effectively discouraged, protecting society, and the rights of the accused are safeguarded by the fact that speculation and accusations cannot be grounds for punishment, and that the accused enjoys the greatest guarantee of justice and being spared the punishment whenever possible. Most people will abstain from committing crime, because of the severity of the punishment, and the punishments for these crimes will rarely be carried out. In this way, the general security of society and the rights of the individual are equally realized.

3. Discretionary Punishments

These are punishments that are not fixed by Islamic Law, for crimes that either infringe on the rights of God or the rights of an individual, but do not have a fixed punishment or a set expiation.

Discretionary punishments are the broadest category of punishments, because the crimes that have fixed punishments are few in number and all other crimes fall under the scope of this last category.

They are the most flexible type of punishment, because they take into consideration the needs of society and changing social conditions. Consequently, they are flexible enough to realize the maximum general benefit to society, effectively reform the criminal, and reduce the harm that he causes.

Islamic Law has defined different types of discretionary punishments starting from exhortations and reprimands to flogging, to fines, and to imprisonment. These discretionary measures are left to the decision of the legal authorities within the general framework of Islamic Law and the universal purposes of Islam that balance between the right of society to be protected from crime and the right of the individual to have his freedoms protected.

The Objectives of the Islamic Penal System

The Islamic penal system has many objectives, the most important of which are as follows:

The First Objective: Islam seeks to protect society from the dangers of crime. It is common knowledge that if crimes are not countered with serious punishments, then society will be in grave danger. Islam seeks to make social stability and security widespread, making life in society secure and peaceful. It has made this consideration a platform for action, legislating punishments that will discourage crime. This purpose has been articulated by the following verse that discusses retribution and its effects on society:

"There is (preservation of) life for you in retribution, O people of understanding, that you may become pious." (Quran 2:179)

If the murderer, or any other criminal for that matter, knows the extent of the negative consequences for himself that his crime will cause, he will think a thousand times before committing it. Awareness of the punishment will cause the criminal to abstain from committing the crime in two ways. The criminal who has already been subject to the punishment will most likely not return to the crime again. As for the rest of society, their awareness of the effects of this punishment will keep them from falling into the crime. To realize a general effect from the punishment, Islam has established the principle of publicly announcing when it will be carried out. God says:

"…A group of the believers should witness the punishment." (Quran 24:2)

The Second Objective: Islam seeks to reform the criminal. The Quran often makes mention of repentance in association with the crimes that it deals with, making it clear that the door to repentance is open whenever the criminal abandons his crime and behaves properly. It has made repentance a means of waiving a fixed punishment in some instances, like the punishment for highway robbery. God says:

"…except for those who repent before you take hold of them. Then know that God is the Forgiving, the Merciful." (Quran 5:34)

God says regarding the punishment for fornication:

"It they both repent and mend their ways, then leave them alone. Verily, God is the Accepter of repentance, the Merciful." (Quran 4:16)

God says after mentioning the punishment for false accusation:

"… except for those who repent afterwards and makes amends, then verily God is the Forgiving, the Merciful."

God says after mentioning the prescribed punishment for theft:

"Whoever repents after his wrongdoing and makes amends, then verily God will accept his repentance and verily God is the Forgiving, the Merciful." (Quran 5:39)

This objective is seen more frequently with regard to discretionary punishments, whereby it is incumbent upon the judge to take into consideration the circumstances of the criminal and what will insure his betterment.

The Third Objective: The punishment is a recompense for the crime. It is undesirable to treat a criminal lightly who threatens the security of society with danger. The criminal should receive his just recompense as long as he is pleased with taking the path of evil instead of the path of righteousness. It is the right of society to be secure in its safety and the safety of its individual members. The Quran has asserted this objective when mentioning a number of punishments. God says:

"The thieves, male and female, cut off their hands as a recompense for what they have earned..." (Quran 5:38)

"The recompense for those who wage violent transgression against God and His Messenger and who go forth spreading corruption in the Earth is that they should be killed or crucified or that their hands and feet should be cut off on alternate sides or that they should be sent into exile…" (Quran 5:33)

STRAIN THEORIES

Strain theories state that certain strains or stressors increase the likelihood of crime. These strains involve the inability to achieve one's goals (e.g., monetary or status goals), the loss of positive stimuli (e.g., the death of a friend, the loss of valued possessions), or the presentation of negative stimuli (e.g., verbal and physical abuse). Individuals who experience these strains become upset, and they may turn to crime in an effort to cope. Crime may be a way to reduce or escape from strains.

I. Introduction:

Strain theories state that certain strains or stressors increase the likelihood of crime. These strains involve

- the inability to achieve one's goals (e.g., monetary or status goals),
- the loss of positive stimuli (e.g., the death of a friend, the loss of valued possessions),
- or the presentation of negative stimuli (e.g., verbal and physical abuse).

Individuals who experience these strains become upset, and they may turn to crime in an effort to cope. Crime may be a way to reduce or escape from strains. For example, individuals may steal the money they want or run away from the parents who abuse them. Crime may be used to seek revenge against the source of strain or related targets. For example, individuals may assault the peers who harass them. Crime also may be used to alleviate negative emotions; for example, individuals may engage in illicit drug use in an effort to make themselves feel better. Strain theories are among the dominant explanations of crime, and, as discussed in this research paper, certain strain theories have had a major impact on efforts to control crime.

This research paper describes (a) the types of strain most conducive to crime, (b) why strains increase the likelihood of crime, and (c) the factors that increase the likelihood that individuals will cope with strains through crime.

All strain theories acknowledge that most individuals cope with strains in a legal manner. For example, most individuals cope with monetary problems by doing such things as cutting back on expenses, borrowing money, or working extra hours. It is therefore critical to explain why some individuals engage in criminal coping. After presenting a basic overview of strain theories, this research paper describes how strain theories have been used to explain group differences, such as gender differences, in crime. The research paper concludes with a discussion of the policy implications of strain theories.

II. Types of Strain Most Conducive to Crime

A. Inability to Achieve Monetary Success

Merton (1938) developed the first major strain theory of crime in the 1930s. This theory was developed in the midst of the Great Depression, so it is not surprising that it focused on that type of strain involving the inability to achieve monetary success. According to Merton, everyone in the United Stated—regardless of class position—is encouraged to strive for monetary success. At the same time, lower-class individuals are frequently prevented from achieving such success through legal channels. In particular, the parents of lower-class children often do not equip them with the skills and attitudes necessary to do well in school. Lower-class individuals often attend inferior schools, and they often lack the funds to obtain college educations or start their own businesses. As a consequence, they more often find themselves unable to achieve their monetary goals through legal channels.

This goal blockage creates much frustration, and individuals may cope by engaging in crime, including income-generating crimes such as theft, drug selling, and prostitution. Merton (1938), however, emphasized that most individuals do not cope with this strain through crime. Some individuals simply endure this strain, others lower their desire for money, and still others turn to the pursuit of other goals. Merton provided some guidance as to why some individuals cope with crime and others do not. One key factor, for example, is whether individuals blame their inability to achieve monetary success on themselves or on others. Crime is more likely when the blame is placed on others.

Cohen (1955) and Cloward and Ohlin (1960) have applied Merton's (1938) theory to the explanation of juvenile gangs. Like Merton, they said that the major type of strain in the United States is the inability to achieve monetary success or, in the case of Cohen, the somewhat broader goal of middleclass status. However, they went on to state that juveniles sometimes cope with this strain by forming or joining delinquent groups, such as gangs. Strained juveniles may form gangs in order to better pursue illicit money-making opportunities, such as drug selling. They may form gangs in an effort to achieve the status or respect they desire. In particular, juveniles sometimes join gangs in an effort to feel important.

B. Other Strains Conducive to Crime

Beginning in the 1960s and 1970s, criminologists began to suggest that the inability to achieve monetary success or middle-class status was not the only important type of strain. For example, Greenberg (1977) and Elliott, Huizinga, and Ageton (1979) suggested that juveniles pursue a broad range of goals, including popularity with peers, autonomy from adults, and harmonious relations with parents. They claimed that the inability to achieve any of these goals might result in delinquency. Later, Agnew (1992) drew on the stress literature in psychology and sociology to point to still other types of strain.

According to Agnew (1992), strain refers to events and conditions that are disliked by individuals. These events and conditions may involve the inability to achieve one's goals. As indicated earlier in this research paper, however, strains may also involve the loss of positive stimuli and the presentation of negative stimuli. In more simplistic language, strains involve situations in which individuals (a) lose something good, (b) receive something bad, or (c) cannot get what they want. These ideas formed the basis of Agnew's general strain theory (GST), now the dominant version of strain theory in criminology.

Literally hundreds of specific strains fall under the three broad categories of strain listed in GST. Not all of these strains are conducive to crime, however. For example, homelessness is

a type of strain that is very conducive to crime. Being placed in "time out" by one's parents for misbehaving is a type of strain that is not conducive to crime. GST states that strains are most likely to lead to crime when they (a) are high in magnitude, (b) are perceived as unjust, (c) are associated with low social control (or with little to lose from crime), and (d) create some pressure or incentive for criminal coping (see Agnew, 2006). Homelessness is clearly conducive to crime: It is high in magnitude, often perceived as unjust, and associated with low social control (individuals who are homeless have little to lose by engaging in crime). Furthermore, being homeless creates much pressure to engage in crime, because one must often steal to meet basic needs and engage in violence to protect oneself (see Baron, 2004). Being placed in time out for misbehavior has none of these characteristics.

GST lists the strains most likely to result in crime. These include the inability to achieve monetary goals as well as a good number of other strains. In particular, the following specific strains are most likely to result in crime:

- **Parental rejection**. Parents do not express love or affection for their children, show little interest in them, and provide little support to them.
- **Harsh/excessive/unfair discipline**. Such discipline involves physical punishment, the use of humiliation and insults, screaming, and threats of injury. Also, such discipline is excessive given the nature of the infraction or when individuals are disciplined when they do not deserve it.
- **Child abuse and neglect**. This includes physical abuse; sexual abuse; emotional abuse; and the failure to provide adequate food, shelter, or medical care.
- **Negative school experiences**. These include low grades, negative relations with teachers (e.g., teachers treat the juvenile unfairly, humiliate or belittle the juvenile), and the experience of school as boring and a waste of time.
- **Abusive peer relations**. Peer abuse includes insults, gossip, threats, attempts to coerce, and physical assaults.
- **Work in "bad" jobs**. Such jobs have low pay, little prestige, few benefits, little opportunity for advancement, coercive control (e.g., threats of being fired), and unpleasant working conditions (e.g., simple, repetitive tasks; little autonomy; physically taxing work).
- **Unemployment**, especially when it is chronic and blamed on others.
- **Marital problems**, including frequent conflicts and verbal and physical abuse.
- **Criminal victimization**.
- **Discrimination** based on race/ethnicity, gender, or religion.
- **Homelessness**.
- **Failure** to achieve certain goals, including thrills/excitement, high levels of autonomy, masculine status, and monetary goals.

C. Research on Strains and Crime

Researchers have examined the effect of most of the preceding strains on crime. Their studies suggest that these strains do increase the likelihood of crime, with certain of them being among the most important causes of crime (see Agnew, 2006, for an overview). For example, parental rejection, harsh discipline, criminal victimization, and homelessness have all been found to have relatively large effects on crime. The following are two examples of recent research in this area. Spano, Riveria, and Bolland (2006) found that juveniles who were violently victimized were much more likely to engage in subsequent violence. This held true even after they took account of such things as the juvenile's sex, age, prior level of violence, level of parental monitoring, and whether the juvenile belonged to a gang. Baron (2004) studied a sample of homeless street youth in a Canadian city and found that crime was much more common among youth who reported that they had been homeless for many months in the prior year. This finding was true even after a broad range of other factors were taken into account, such as age, gender, and criminal peer association.

These findings, however, test only one part of GST. GST not only asserts that certain strains increase the likelihood of crime but also describes why these strains increase crime. The next section focuses on this topic.

III. Why Strains Increase the Likelihood of Crime

Strains are said to increase the likelihood of crime for several reasons. Most notably, they lead to negative emotions such as anger, frustration, depression, and fear. These emotions create pressure for corrective action; that is, strained individuals feel bad and want to do something about it. Crime is one possible response. As indicated earlier in this research paper, crime may be a means for reducing or escaping from strains, seeking revenge against the source of strain or related targets, or alleviating negative emotions (through illicit drug use). Anger occupies a special place in GST, because it energizes individuals for action, reduces inhibitions, and creates a strong desire for revenge.

Several attempts have attempted to determine whether strains lead to negative emotions and whether these emotions, in turn, lead to crime. Most studies have focused on the emotion of anger, and they tend to find that strains increase anger and that anger explains part of the effect of strains on crime—especially violent crime (Agnew, 2006). For example, Jang and Johnson (2003) asked individuals to indicate the strains or personal problems they had experienced. Many such strains were listed, including different types of financial problems, family problems, and criminal victimizations. Jang and Johnson found that individuals who experienced more strains were more likely to report feeling angry and that this anger had a large effect on crime.

A few studies also suggest that emotions such as depression, frustration, and fear may sometimes explain the effect of strains on crime (see Agnew, 2006). Recently, researchers have suggested that certain strains may be more likely to lead to some emotions than others. For example, strains that involve unjust treatment by others may be especially likely to lead to anger. Also, strains that one cannot escape from may lead to depression. Furthermore, certain emotions may be more likely to lead to some crimes than others. As suggested earlier, anger may be especially conducive to violence. Depression, however, may be more conducive to drug use. Researchers are now examining these ideas.

Strains may also lead to crime because they reduce one's level of social control. Strains often involve negative treatment by people such as parents, teachers, spouses, and employers. Such negative treatment can reduce the individual's emotional bond to these conventional others. It can also reduce the individual's investment in conventional society, particularly if the negative treatment involves such things as low grades or the termination of employment. Furthermore, negative treatment can reduce the direct control exercised over individuals (i.e., the extent to which conventional others monitor the individual's behavior and sanction rule violations). This may occur if strains such as child abuse cause individuals to retreat from conventional others. Individuals who are low in these types of control are more likely to engage in crime, because they have less to lose by doing so.

Furthermore, strains may foster the social learning of crime; that is, strains may lead individuals to associate with others who reinforce crime, model crime, and teach beliefs favorable to crime. As Cohen (1955) and Cloward and Ohlin (1960) have suggested, strained individuals may associate with other criminals in an effort to cope with their strains. For example, abused or neglected juveniles may join gangs in an effort to find acceptance and support. Individuals who are threatened by others may join gangs for protection. Also, individuals who are subject to those strains conducive to crime may develop beliefs favorable to crime. For example, individuals who are regularly bullied by others may come to believe

that violence is a justifiable, or at least excusable, way to cope. Individuals who are chronically unemployed may come to believe that theft is sometimes justifiable or excusable.

Finally, individuals who experience strains over a long period may develop personality traits conducive to crime, including traits such as negative emotionality. Individuals high in negative emotionality are easily upset and become very angry when upset. The continued experience of strains reduces their ability to cope in a legal manner. As a consequence, new strains are more likely to overwhelm them and make them very upset. Not surprisingly, such people are then more likely to cope through crime.

Several studies have found support for these arguments; that is, strains do tend to reduce social control, foster the social learning of crime, and contribute to traits such as negative emotionality (see Agnew, 2006; Paternoster & Mazerolle, 1994). Strains, then, may increase the likelihood of crime for several reasons, not simply through their effect on negative emotions.

IV. Factors That Increase the Likelihood of Criminal Coping

There are a variety of ways to cope with strains, most of them legal. Juveniles who are having trouble with schoolwork, for example, might devote more time to their homework; seek help from teachers, parents, or friends; convince themselves that school is not that important; exercise or listen to music in an effort to feel better; and so on. Individuals who experience strains typically cope using legal strategies such as these. Given this fact, it is critical for strain theories to explain why some individuals choose crime as a means of coping. According to GST, criminal coping is most likely to be enacted by individuals with certain characteristics:

- **Possess poor coping skills and resources**. Some individuals lack the skills and resources to legally cope on their own. They have poor problem-solving and social skills, including skills such as the ability to negotiate with others. They possess traits such as negative emotionality and low constraint. Individuals with these traits are easily upset and tend to act without thinking. Furthermore, they have limited financial resources. Money is a great coping resource, because it allows one to purchase needed goods and services (including the services of people such as tutors, counselors, and lawyers).
- **Have low levels of conventional social support**. Not only are some individuals unable to legally cope on their own but also they lack others to whom they can turn for assistance. This assistance might include advice on how to cope, emotional support, financial assistance, and direct assistance in coping. For example, children who are having trouble in school might seek assistance from their parents, who may comfort them, give them advice on how to study, and arrange special assistance from their teachers. Individuals who are unemployed may obtain assistance from their friends, who may help them find work and loan them money.
- **Are low in social control**. Some individuals also have little to lose if they engage in criminal coping. They are unlikely to be punished if they engage in crime, because their family members, neighbors, and others do not closely supervise them and rarely impose sanctions when they do misbehave. They have little to lose if they are punished, because they do not care what conventional others, such as parents and teachers, think of them. Also, they are doing poorly in school, do not plan on going to college, are unemployed or work in "bad" jobs, and do not have a good reputation in the community. They also do not view crime as wrong or immoral.
- **Associate with criminal others**. Other criminals model criminal coping, frequently encourage individuals to engage in crime, and often reinforce crime when it occurs.

Imagine, for example, a gang member who is insulted by someone. This gang member is more likely to respond with violence because that is how other members of the gang respond to similar provocations; other gang members directly encourage a violent response, and they reinforce violent responses—most often with social approval. Furthermore, they may punish nonviolent responses. For example, gang members who do not respond to provocations with violence may be called cowards (or worse) and regularly harassed.

- **Hold beliefs favorable to criminal coping**. Some individuals believe that crime is an excusable, justifiable, or even desirable response to certain strains. For example, they believe that violence is an appropriate response to a wide range of provocation (Anderson, 1999). They learn these beliefs from others, especially criminal others. Also, as indicated previously, they sometimes develop these beliefs after experiencing chronic or long-term strains (e.g., being bullied over a long period).
- **Are in situations where the costs of criminal coping are low and the benefits high**. In particular, strained individuals are more likely to turn to crime when they encounter attractive targets for crime in the absence of capable guardians. An individual with a desperate need for money, for example, is more likely to engage in theft if he or she comes across a valuable item that is unguarded.

In sum, individuals are most likely to engage in criminal coping when they (a) are unable to engage in legal coping, (b) have little to lose by criminal coping, (c) are disposed to criminal coping because of the people with whom they associate and the beliefs they hold, and (d) encounter attractive opportunities for crime.

Researchers have examined the extent to which certain of these factors influence the likelihood of criminal coping. The results of their studies have been mixed (Agnew, 2006). Some have found that individuals with these factors are more likely to cope with strains through crime; for example, some research indicates that criminal coping is more likely among individuals who are high in negative emotionality or who associate with delinquent peers. Other studies, however, have not found this.

Criminologists are now trying to make sense of these mixed results (Agnew, 2006; Mazerolle & Maahs, 2000). One possibility for the conflicting results has to do with the fact that researchers often examine the preceding factors in isolation from one another. However, it may be that individuals engage in criminal coping only when their standing on all or most of the preceding factors is favorable to such coping. Mazerolle and Maahs (2000) explored this possibility. They examined three factors: (1) low constraint, (2) association with criminal peers, and (3) beliefs favorable to criminal coping. Mazerolle and Maahs found that when all three of these factors were favorable to criminal coping, highly strained individuals were quite likely to engage in crime.

VI. Recommendations for Controlling Crime

The early strain theories of Merton (1938), Cohen (1955), and Cloward and Ohlin (1960) had a major impact on efforts to control crime. These theories were one of the inspirations for the War on Poverty, which was developed under President Kennedy's administration and implemented under President Johnson. The War on Poverty consisted of a number of programs designed to eliminate poverty in the United States. While eliminating poverty was, of course, a desirable goal in itself, it was also felt that eradicating poverty would reduce other social problems, such as crime. Several of the programs that were part of the War on Poverty were directly inspired by strain theories. These programs were designed to help lower-income people achieve the goal of monetary success (or middle-class status) through legal channels. Certain of these programs remain in existence.

One such program is the National Head Start Association, which sponsors a preschool enrichment program. Head Start focuses on preschool-age children in disadvantaged areas. Such children are placed in a preschool program designed to equip them with the skills and attitudes necessary to do well in school. The program also works with the parents of these children, teaching them how they can help their children do well in school. Another program, Job Corps, focuses on older juveniles and adults. This program attempts to equip individuals with the skills and attitudes necessary to obtain a good job. Some evidence suggests that both these programs are successful in reducing crime, especially when they are well implemented (see Agnew, 2009, and Agnew, in press, for further discussion).

GST suggests still other strategies for controlling crime (Agnew, 2006, in press). These strategies fall into two broad groups. First, GST recommends reducing the exposure of individuals to strains that are conducive to crime. Head Start and Job Corps fall into this category, because their primary goal is to reduce the likelihood that individuals will experience school and/or work problems, such as working in "bad" jobs or chronic unemployment. Second, GST recommends reducing the likelihood that individuals will cope with strains through crime.

IX. Conclusion

Strain theories are based on a simple, commonsense idea: When people are treated badly, they may become upset and engage in crime. Strain theories elaborate on this idea by describing the types of negative treatment most likely to result in crime, why negative treatment increases the likelihood of crime, and why some people are more likely than others to respond to negative treatment with crime.

The strains most likely to lead to crime are high in magnitude, perceived as unjust, and associated with low social control, and they create some pressure or incentive for crime. Examples include parental rejection, harsh or abusive discipline, chronic unemployment or work in "bad" jobs, criminal victimization, homelessness, discrimination, and the inability to achieve monetary goals. These strains lead to a range of negative emotions, such as anger. These emotions create pressure for corrective action, with crime being one possible response. Crime may allow individuals to reduce or escape from strains, seek revenge, or alleviate their negative emotions (through, e.g., illicit drug use). Strains may also increase crime by reducing social control, fostering association with criminal peers and beliefs favorable to crime, and contributing to traits such as negative emotionality. Individuals are most likely to engage in criminal coping when they lack the resources to legally cope with strains, have little to lose by engaging in crime, are disposed to criminal coping, and are in situations that present attractive opportunities for such coping.

Researchers are extending strain theory in important ways. They are using the theory to help explain group differences in crime, such as gender differences in offending. Also, the implications of strain theory for controlling crime are receiving increased attention. Agnew (2006) described still other extensions. In sum, strain theory constitutes one of the major explanations of crime and has much potential for controlling crime.

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SOCIAL CONTROL THEORY

Social control theory assumes that people can see the advantages of crime and are capable of inventing and executing all sorts of criminal acts on the spot—without special motivation or prior training. It assumes that the impulse to commit crime is resisted because of the costs associated with such behavior. It assumes further that a primary cost of crime is the disapproval of the people about whom the potential offender cares.

I. Introduction

The social control approach to understanding crime is one of the three major sociological perspectives in contemporary criminology. Control theorists believe that conformity to the rules of society is produced by socialization and maintained by ties to people and institutions— to family members, friends, schools, and jobs. Put briefly, crime and delinquency result when the individual's bond to society is weak or broken. As social bonds increase in strength, the costs of crime to the individual increase as well.

The intellectual roots of social control theory reach back several centuries, but it was not until the middle of the 20th century that this theory began to generate broad interest among crime researchers. Since then, it has been among the most frequently tested in the scientific literature and has garnered substantial empirical support. Its research and policy implications have generated perhaps the most debate of any modern theory of crime. Social Control TheoryThe influence of social control theory on actual crime control policy has been less impressive. Social control theories do not support expansion of the criminal justice system. They do not favor larger police forces or lengthy incarceration as crime control policies. They favor instead policies designed to establish stronger bonds between individuals and society.

The first task of the control theorist is to identify the important elements of the bond to society. The second task is to say what is meant by society—to locate the persons and institutions important in the control of delinquent and criminal behavior. The following list of elements of the bond— attachment, commitment, involvement, and belief—has proved useful in explaining the logic of the theory and in summarizing relevant research. It has also provided guidelines for evaluation of delinquency prevention programs.

II. Attachment

Social control theory assumes that people can see the advantages of crime and are capable of inventing and executing all sorts of criminal acts on the spot—without special motivation or prior training. It assumes that the impulse to commit crime is resisted because of the costs associated with such behavior. It assumes further that a primary cost of crime is the disapproval of the people about whom the potential offender cares. To the extent that the potential offender cares about no one, he or she is free to commit the crime in question. Sociologists often explain conformity as the result of such sensitivity. Psychologists as often explain deviation as the result of insensitivity to the concerns of others. Together, they tell us that sensitivity is a continuum and that some people have more than others and some have less than others. This is the position adopted by control theorists. They focus on the extent to which people are sensitive to the opinion of others and predict that this variable will predict rates of crime and delinquency.

Sensitivity suggests feeling or emotion, and this element of the social bond indeed attempts to capture the emotions (or lack thereof) involved in conformity and deviance. The words are many: affection, love, concern, care, and respect, to name only some. Social control theorists use attachment as an abstract summary of these concepts.

The evidence is clear that family attachments are strongly correlated with (non)delinquency. In their famous book Unraveling Juvenile Delinquency, Sheldon and Eleanor Glueck (1950) indicated that, according to their research, affection of the father and the mother for the child were two of the best five predictors of delinquency. They found, too, that in the other direction, the emotional ties of the child to the parent tended to be weaker among delinquents. From this, we may conclude that family attachments play a role in the socialization of the child as well as in maintaining his or her subsequent conformity to the rules of society. Researchers have reported that family attachments may account for the apparent effects of other variables. For example, the item "Do your parents know where you are (and what you are doing) when you are away from home?" has been often found to predict levels of self-reported delinquency. These correlations are of course taken as evidence of the importance of parental supervision. They are better seen as evidence of the importance of communication between parent and child. Scandinavian scholars have shown that parents know where their children are to the extent that their children inform them of their whereabouts. In other words, well-supervised children are those who supervise themselves, those who in effect take their parents with them wherever they happen to go.

Attachment to school is also a well-established predictor of delinquency. Students who report liking school and caring about the opinion of teachers are far less likely to be delinquent regardless of how delinquency is measured. Indeed, it is practically a truism that "delinquents don't like school." The general principle would seem to be that withdrawal of favorable sentiments toward controlling institutions neutralizes their moral force. Rebels and revolutionaries may dispute this principle, but that says nothing about the element of truth it contains (and they prove it by their actions).

III. Commitment

Everyone seems to understand the paraphrased song lyric that freedom is another way of saying that one has nothing left to lose. Control theory captures this idea in the concept of commitment, the idea that conforming behavior protects and preserves capital, whereas crime and delinquency put it at risk. The potential delinquent calculates the costs and benefits of crime. The more he or she has to lose, the greater the potential costs of the crime and the less likely it is to be committed. What does one lose or risk losing from crime? The short answer is life, liberty, and property. The long answer, attachments aside, is that it depends on one's assets and prospects, on one's accomplishments and aspirations.

For young people in American society, the main arena for the display of accomplishment or achievement is the school. Athletics aside, and however diverse the curriculum, the currency of this realm is academic achievement. Also, truancy aside, of the available measures of school-related activities, grade point average appears to be the best predictor of delinquency. Good students are likely to aspire to further education and are unlikely to commit delinquent acts or to get into difficulties with the police. Grade point average accounts for the correlation between IQ test scores and delinquency. Put another way, IQ affects delinquency through its effect of grades. It has no direct effect on delinquency. This means that the ancient idea that, other things equal, intelligent people are better able to appreciate the consequences of their acts is not supported by the data; instead, the data suggest that the correspondence between achievement and prospects on one side and delinquency on the other is just what one would expect from rational actors, whatever their level of intelligence.

IV. Involvement

In television courtrooms, one task of the prosecutor is to establish that the defendant had the opportunity to commit the crime of which he or she is accused. Crimes are events that take place at a given point in time. Conditions necessary for their accomplishment may or may not

be present. Control theorists, like most other theorists, have seized on this fact and tried to incorporate the notion of opportunity into their explanation of crime. They do so through the concept of involvement, which is short for "involvement in conventional activities." The idea is that people doing conventional things—working, playing games, watching sporting events or television, doing homework, engaging in hobbies, or talking to parents—are to that extent unable to commit delinquent acts, whatever their delinquent tendencies may be.

Despite its firm place in the common sense of criminology, the idea of involvement/limited opportunity has not fared well when put to the test. More than one researcher has found that adolescents with jobs are more rather than less likely to be delinquent. Also, counts of the hours of the day the adolescent is doing an activity that is inconsistent with delinquent acts have proved disappointing.

There are two problems with the concept of involvement. First, it is based on a misconception of the nature of crime. Most criminal acts, perhaps especially those available to adolescents, require only seconds or minutes for their completion—the pull of the trigger, a swing of the fist, a barked command, a jimmied door, a grab from a rack or showcase. This fact allows the commission of large numbers of criminal acts by a single offender in a short period of time. (It also makes ridiculous attempts to estimate the average number of offenses committed by individual offenders in an extended period of time.) Because opportunities for crimes are ubiquitous, the hope of preventing them by otherwise occupying the potential offender has proved vain.

A second problem with this concept is that it neglects the fact that opportunities for crime reside to a large extent in the eye of the beholder. Objective conditions matter, but so do the perceptions of actors. Control theory claims that people differ in the strength of their bonds to society. It therefore predicts that people who are strongly bonded are less likely to engage in activities that provide opportunities for delinquency and are less likely to see them should they arise.

V. Belief

The role of beliefs in the causation of delinquency is a matter of considerable dispute. Some social scientists argue that they are of central importance. Others ignore them, suggesting that they are nothing more than words that reflect (and justify) past behavior but are in no way responsible for it. Control theory rejects the view that beliefs are positive causes of delinquency, that offenders are somehow living up to their beliefs when they commit delinquent acts. Control theory is, however, compatible with the view that some beliefs prevent delinquency while others allow it.

Perhaps the principal benefit of the study of beliefs is that they help us understand how the other bonds work to prevent delinquency. For example, responses to the statement "People who break the law are almost always caught and punished" are related to delinquency in the expected direction. Individuals who disagree are more likely to report delinquent acts. What can be said about the factual accuracy of this belief? Do delinquents know the truth while non-delinquents have been systematically misinformed? The answer appears to be that both delinquents and non-delinquents are correct, at least from their point of view. In the short term, "getting away with it" may well be the rule. In the long term, offenders are typically caught and, in various ways, punished. A short-term orientation reflects a lack of commitment and is therefore conducive to delinquency. A long-term orientation is indicative of commitment and prevents delinquency. All of this teaches two lessons: (1) Manipulating beliefs without changing the reality on which they are based is unlikely to reduce the level of delinquency, and (2) changing actual levels of law enforcement efficiency is unlikely to change the beliefs that allow and disallow criminal conduct.

VI. Historical Development

The intellectual underpinnings of social control theory may be seen in the 17th-century work of Thomas Hobbes. In his famous book Leviathan Hobbes described a set of basic assumptions about human nature and the origins of civil society. Hobbes believed that humans naturally seek personal advantage without regard for the rights or concerns of others. In the absence of external restraints, in a state of nature, crime is a rational choice, a "war of all against all" naturally follows, and the life of everyone is "nasty, poor, brutish, and short." Fortunately, in Hobbes's view, a second choice presents itself to individuals capable of calculating the costs and benefits of their actions. They can continue in a state of war, or they can establish a system of laws and a government empowered to punish those who resort to force and fraud in pursuit of their private interests. Given the choice between war and peace, rational people choose to submit to government authority in return for the safety of their persons and property.

Hobbes's theory of crime is a choice theory. People consider the costs and benefits of crime and act accordingly. The important costs of crime are those exacted by the state—which has the power to deprive citizens of life, liberty, and property. The content of the criminal law is not problematic. There is consensus that the use of force and fraud for private purposes is illegitimate. Crime is real. It is a not a matter of definition; it is not a social construction that may vary from time to time and place to place.

As we have seen, social control theory accepts choice and consensus. People are not forced by unusual needs or desires to commit criminal acts. Belief in the validity of the core of the criminal law is shared by everyone. Control theory nevertheless rejects Hobbes's view (which is still a popular view among economists and political scientists) that the important costs of crime are the penalties imposed by the state. It can reject this view because of the assumption (and fact) of consensus. Everyone agrees that theft, robbery, and murder are crimes. As a result, victims and witnesses report offenses to interested parties, and their perpetrators embarrass and shame those who know them. Shame and the penalties that follow from it are, according to social control theory, major costs of crime.

Hobbes's view of human nature does not imply that people are inherently criminal or that they prefer crime; it suggests only that self-interest underlies whatever they do. They harm others because it gives them pleasure or advantage. They steal because stealing provides goods or money. They hit or threaten to hit others because such acts may bring status, a feeling of justice, or control of their behavior. They do good things for self-interested reasons as well. They are trustworthy and helpful because being so brings such rewards as trust and gratitude. From the point of view of their motives, there is thus no difference between offenders and non-offenders, between criminal and noncriminal acts; all reflect the same basic desires. Thus, working from the Hobbesian view of human nature, social control theories do not ask why people commit criminal acts. They ask instead why, given the plentiful opportunities for criminal acts and their obvious benefits, people do not commit more of them.

Sociology is the dominant discipline in the study of crime. Sociologists reject Hobbes's perspective. They see human behavior as caused rather than chosen. They tend to reject the idea of consensus, preferring the idea of cultural diversity or even culture conflict. Nevertheless, in the early years of the 20th century, sociologists in the United States often talked about social disorganization, the breakdown of society they saw occurring in immigrant communities and the slums of large cities. The high rates of crime and delinquency in these areas were seen as symptoms of this breakdown. In disorganized areas, unemployment is high and families, schools, and neighborhoods are too weak to control the behavior of their residents. The theory of crime implicit in the concept of social

disorganization is a variety of social control theory. In the absence of the usual social restraints imposed by jobs, families, schools, churches, and neighborhoods, delinquency flourishes. In other words, delinquency is natural, as Hobbes suggested and, worse— but contrary to Hobbes—the penalties of the criminal justice system are insufficient to contain it.

By the middle of the 20th century, the concept of social disorganization was no longer fashionable. Sociological theories had come to focus primarily on the impact of social class and culture on law-violating behavior. Lower-class adolescents were said to be forced into delinquency in their efforts to realize the American Dream or they were socialized into a lower-class culture that justifies or requires delinquent behavior. As an explanatory factor, the family had fallen from favor and the school was rarely mentioned except as an important source of strain and subsequent malicious delinquency among lower-class boys.

Sociology, however, is more than a theoretical perspective that is brought to bear in efforts to explain criminal and delinquent behavior. It is also a research discipline that attempts to locate the causes and correlates of such behavior. While sociological theories of delinquency were painting one picture of delinquency, research was painting a very different picture, and sociological researchers were forced to use or invent a sociologically incorrect language to describe it.

By the mid-20th century, hundreds of studies of delinquency had been published, and the number was growing at an ever-increasing rate. With respect to its findings, perhaps the most important was the work of a Harvard University couple, Sheldon and Eleanor Glueck. Their book Unraveling Juvenile Delinquency (1950), discussed earlier in this research paper, is unrivaled in the scope and complexity of its results. The Gluecks compared 500 delinquent boys with 500 non-delinquent boys on a large number of carefully measured variables: family structure and relations, school attitudes and performance, physical and mental characteristics, and attitudes and behavior. The Gluecks reported that the five best predictors of delinquency were "family" variables: (1) discipline of the boy by his father, (2) supervision of the boy by his mother, (3) affection of the father (and [4], separately, the mother) for the boy, and (5) cohesiveness of the family.

The Gluecks's research was said to be atheoretical, and they did not advertise themselves as theorists, but there could be no doubt that their findings supported social control theory. There also could be no doubt that their characterization of their findings reflected acceptance of a control theory perspective—and rejection of then-popular sociological theories. (For example, whereas popular sociological theories assumed that delinquents tend to be eager to succeed in school, the Gluecks reported that truancy and "lack of interest in school work" were from an early age one of their defining characteristics.) In one fell swoop, then, the Gluecks put control theory back on the table.

The Gluecks were not alone; other researchers were reporting results consistent with control theory and using the language of the theory to interpret them. Albert Reiss resurrected the distinction found in the social disorganization literature between personal and social controls. Walter Reckless and colleagues advanced a containment theory of delinquency that was said to account for the behavior of "good" as well as "bad" boys. Jackson Toby introduced the idea of stakes in conformity—the costs of delinquency to people with good reputations and bright prospects—as an important factor in the control of delinquent behavior.

During the same mid-20th century period, social control theory benefited from introduction of an innovative technique of research, what came to be known as the self-report method. Prior to the invention of this method, researchers had been forced to rely on official measures of delinquency, basically police and court records. The new method allowed them to ask juveniles about their delinquent activities regardless of whether they had official records. It allowed researchers at the same time to ask young people about their relationships with

parents, their attitudes toward school, and much else of interest to those wishing to explain delinquent behavior. Indeed, this research technique put the explanation of delinquency in a new light. For example, whereas the Gluecks stressed the affection of the parent for the child, it now became apparent—because it could be measured—that the affection of the child for the parent should be equally, if not more, important.

Relying on the terms and assumptions of the social disorganization perspective, F. Ivan Nye (1958) undertook the first major self-report study of delinquency, distinguishing between internal control and direct and indirect forms of social control. Nye's particular focus was on the family. He showed how parents limit access of their children to opportunities for delinquency (an example of a direct control) and how adolescents refrain from delinquency out of concern that their parents might disapprove of such actions (an indirect control). He illustrated internal control with the concept of conscience, which acts to prevent one from committing acts that are harmful to others.

The various strands of thought and research on social control were brought together in Travis Hirschi's Causes of Delinquency, published in 1969. This book reports in a study of a large sample of junior and senior high school students using self-report and official measures of delinquency. The theory guiding the study, as well as some of the study's findings, are summarized at the beginning of this research paper. Hirschi's study was a small part of a larger study based on ideas compatible with alternative theories of delinquency. Hirschi was therefore able to compare and contrast the predictions of social control theory with those stemming from its major competitors. These comparisons and contrasts have proved useful in providing structure to subsequent research.

VII. Similarities and Differences Between Social Control Theories and Other Major Theories of Crime

As we have seen, the underlying assumptions of social control theory are in many respects similar to those of classical theories of crime, theories that have come down to us under such names as deterrence theory and rational choice theory. The differences among them are often differences in emphasis. Deterrence theory claims that the key to crime control is found in the swiftness, severity, and certainty of the punishments administered by the legal system. Rational choice theory focuses on the costs and benefits of crime. Control theorists accept the importance of punishment, but they ignore the punishments of the legal system and thereby question their role in the control of crime. They do the same with benefits of crime—that is, they ignore them on the grounds that the benefits of crime are the same as the benefits of non-crime.

The assumptions of control theories contrast sharply with those of other sociological explanations of crime. Cultural deviance or social learning theories assume that there is no natural capacity for crime. In their view, all human action, whether crime or conformity, is the product of a combination of socializing influences. Peers exert influence on the individual, as does the family and, more broadly, the prevailing culture. Where the sum total of influences directs the individual in particular instances to engage in crime, then that person will do so. Where these influences are absent, crime cannot occur. The offender is thus a conformist, albeit not to the rules of the dominant society.

Strain theories (sometimes called anomie theories) assume that an individual is naturally inclined to conform to standard cultural values but can be pushed into crime when the social structure fails to provide legitimate opportunities to succeed. These theorists emphasize the influence of the American Dream, which produces aspirations and desires that often (all too often, scholars say) cannot be satisfied within the limits of the law. These sociological

perspectives have proved popular and adaptable. They continue to provide a foundation for critiques of social control theory.

VIII. A Critical Issue

One question that social control theory has faced from its inception relates to the role of delinquent peers. Walter Reckless (1961), a prominent theorist whose work is usually associated with control theory, concluded from the Gluecks's (1950) data that "companionship is unquestionably the most telling force in male delinquency and crime" (p. 10). If this conclusion were allowed to stand unquestioned, whatever debate there might be between social control theory and social learning theory would be settled in favor of the latter. From the beginning, control theorists have questioned the meaning of the admittedly strong correlation between one's own delinquency and the delinquency of one's friends. Their major counterhypothesis was that advanced by the Gluecks, who interpreted their own data as showing that birds of a feather flock together, so to speak. In control theory terms, this argument is that weak bonds to society lead to association with delinquents and to delinquent behavior. Companionship and delinquency thus have a common cause. The limits of this argument were readily apparent. The correlation between companionship and delinquency was so strong that no combination of its supposed causes could possibly account for it. Social learning theorists naturally saw this as evidence against social control theory and in favor of their own theory. A compromise solution was to integrate the two theories, the idea being that lack of social control frees the adolescent to be taught crime and delinquency by his or her peers.

Hirschi resisted this compromise, observing that the two theories, if combined, would contain fatal internal contradictions. Social control theories assume that crime is natural. Social learning theories assume crime must be learned. The two assumptions cannot peacefully coexist, because one assumption must necessarily negate the other. Yet the delinquent-peer effect would not go away. Its presence forced social control theorists to confront a fact seemingly in contradiction to the theory's internal logic. Attempts were then made to explain the role of delinquent peers without violating the assumptions of control theory. Perhaps peers do not teach delinquency, but they make it easier or less risky, thus increasing the temptation to crime by lowering its costs. Assaults and robberies and burglaries are, after all, facilitated by the support of others, just as they are facilitated by muscles and guns and agility.

Another tack was to question the validity of the measures of peer delinquency. If the data collection methods were faulty, then the seemingly strong evidence supporting the delinquent peers–delinquency correlation could also be faulty. Most studies of the delinquency of peers ask the respondents to describe their friends. The results, some researchers argued, could reflect the phenomenon of projection, whereby study respondents, apparently describing their friends, are in fact describing themselves. Dana Haynie and Wayne Osgood (2005) tested this hypothesis. They reported that standard data do contain a good quantity of projection. Using measures of delinquency collected directly from the peers in question, they found that what was once the strongest known predictor of crime turned out to have only a modest effect, an effect that could be accounted for by alternative theories of crime. This story teaches several lessons. Persistent attention to a theoretical problem may produce unexpected results. The facts that are at the root of the problem may themselves fail to survive, and the end results of criticisms of a criminological theory do not necessarily take the form imagined by its critics.

IX. Theoretical and Research Extensions

In its social disorganization form, social control theory was what is now called a life course theory. The idea was straightforward: Individuals are controlled by ties to the significant

people and institutions in their lives. As they move through the various stages of life, these people and institutions automatically change. Their significance and the strength of the individual's ties to them may change as well. The favorite example was the transition from the family of orientation, with parents and siblings, to the family of procreation, with a spouse and children. In principle, the transition from one family to the other could be a period of deregulation, of relative freedom from social bonds and a consequent high rate of delinquency. In principle, successful completion of this transition was problematic. The adolescent could end up securely wrapped in the arms of job, church, community, and family, or he or she could end up in a stage of protracted adolescence, with weak and fleeting ties to the central institutions of adulthood. Adolescent delinquents could easily end up as law-abiding adults, and adolescent conformists could easily end up as late-starting adult offenders.

The social control theory described was based on data collected at one point in time. It could not therefore deal directly with questions of change and transition. It was designed, however, with the change and transition problem firmly in mind. If the connection between juvenile delinquency and adult crime depended on events that could not be foreseen, this posed no problem for the theory. It assumed that strong bonds could weaken, or break, that the people and institutions to which one was tied could change their character or cease to exist. It assumed, too, that weak bonds could strengthen, that they could be established where none previously existed. Social control theory was thus seen as the only major theory capable of dealing with variation in levels of crime and delinquency over the life course.

Readily available data suggested, however, that the facts were not so complicated. The data suggested that differences in levels of delinquency were relatively constant across individuals, that the form of the age distribution of crime was the same from one group to another. As a result, in 1983, Hirschi and his colleague Michael Gottfredson explicitly rejected the life course perspective on crime, declaring that criminality, once established in late childhood, stabilized and did not change. Put another way, they said that if a researcher ranks children on their propensity to commit criminal acts at age 8, he or she will find the same rank order when the children are 15 and any age thereafter. They concluded that no criminological theory, including social control theory, could explain the relation between age and crime.

Shortly thereafter, Robert Sampson and John Laub came into possession of the data originally collected by Sheldon and Eleanor Gluecks in the famous study described earlier. After reworking and supplementing these data, they were able to follow the Gluecks's (1950) participants into adulthood and, by so doing, restate and test the life course (or longitudinal) version of social control theory, which they called a theory of informal social control. Analyses reported in their book Crime in the Making (1993) confirm the Gluecks's findings about the correlates of delinquency and move on to a focus on stability and change in levels of delinquency during adulthood. Their analyses (and subsequent analyses based on even more extensive data) confirm the importance for delinquency involvement of such adult social bonds as income, marriage, attachment to spouse, job stability, and commitment. It should be mentioned that their analyses of full-life histories reveal a substantial decline in crime with age that their bond measures cannot explain.

X. Policy Implications

Current crime control policy in the United States emphasizes the value of incarceration on the one side and treatment or rehabilitation on the other. Increased rates of incarceration have been encouraged by renewed academic interest in so-called "career criminals" and by the view that crime control requires swift, certain, and severe punishment by agents of the criminal justice system. The emphasis on punishment is encouraged by politicians, the media,

an influential segment of academic criminology, and of course by law enforcement officials themselves. The crime problem is a blessing to all of them, and they do not fail to take advantage of it.

Increased levels of concern and punishment automatically produce greater numbers of potential offenders, probationers, inmates, and parolees—all of whom are thought to benefit from exposure to modern treatment and rehabilitation programs. The emphasis on treatment is encouraged by the belief that it provides a humane alternative to punishment. It is also encouraged by renewed faith in its effectiveness in reducing subsequent involvement in criminal and delinquent behavior. Where it was recently believed that treatment does not work, the question of effectiveness is now answered in advance by advocacy of evidence-based programs. An emphasis on treatment is a blessing for psychologists, social workers, and social service agencies.

Support for neither of these general policies is found in social control theory. Consistent with the theory, potential offenders are not influenced by the threat of legal penalties, and their behavior is not altered by changing the certainty or severity of such penalties. Consistent with the theory, the behavior of people exposed to the criminal justice system is not affected by such exposure. The level of punishment (e.g., the length of sentence) imposed by the system does not affect the likelihood that its wards will be seen again. Put another way, the criminal justice system receives people after they have committed offenses, but it has little or no influence on their prior or subsequent behavior.

Incarceration is sometimes justified on the grounds that it reduces the crime rate by incapacitating offenders. Even if punishment and treatment do not work, the argument goes, people in prison are not committing countable crimes while they are there, though a derivation of this argument from any version of control theory is not supportable.

The idea that crime can be prevented by treating or rehabilitating offenders is contrary to the assumptions of control theory. The theory sees crime as a choice that does not reflect illness or defective judgment but the social circumstances of the actor and the logic of the situation. The renewed enthusiasm for treatment is also not justified by research. As often as not, it seems, the difference between the treatment and control groups is disappointing, or even in the wrong direction. Given the investment in various treatment strategies and the felt need to counterbalance punitive policies, the return of a skeptical view of treatment in the near future is unlikely, but better evidence that treatment works will be required to make it a serious challenge to the control theory perspective.

Crime control strategies that go by such names as situational crime prevention, the routine activity approach, and environmental design are perfectly compatible with control theory. All assume that crimes may be prevented by focusing on the conditions necessary for their occurrence—by reducing their benefits, by making them more hazardous or difficult. Unlike control theory, these approaches focus on one type of crime at a time—burglary, robbery, assault—but they, too, see the potential offender as acting out of choice rather than compulsion. A choosing offender may attack a lone individual but will not consider attacking a member of a group; a choosing offender may enter an unlocked door but refrain from breaking down a door that is securely locked. The beauty of these approaches is that, to the extent they are successful, they eliminate criminals by eliminating crime. Situational crime prevention theorists like to say that "opportunity makes the thief," but a more direct statement of their position would be that "theft makes the thief."

Social control theories typically do not provide specific positive guidance about crime control policy. Those who attack their policy implications tend to focus on the odious implications of "control," suggesting that control theorists favor selective incapacitation and value thoughtless conformity over individual freedom. It may be partly for this reason that control

theorists are reluctant to play the policy game, but it may be that the policy implications of control theory are too obvious to bear repeating. If weakened social bonds are the reason crime flourishes, the straightforward way to reduce the crime problem would be to help individuals intensify their relationships with society. How is this to be accomplished? Control theory cannot provide particularly good answers to this question anymore than strain theory can offer unusual insight about how to improve economic conditions among the poor. We do know that stakes in conformity cannot be imposed from without, that society cannot force friends on the friendless. But we know, too, that some conditions are more conducive than others to the creation and maintenance of the natural bonds that make people consider the consequences of their acts for the lives and well-being of others. With such conditions in place, the theory claims, the need for crime control policies is greatly reduced.

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SOCIAL LEARNING THEORY

The basic assumption in social learning theory is that the same learning process in a context of social structure, interaction, and situation, produces both conforming and deviant behavior. The difference lies in the direction . . . [of] the balance of influences on behavior.

Outline

1. Introduction
2. Origin and Overview of Social Learning Theory
3. Differential Association
4. Definitions
5. Differential Reinforcement
6. Imitation
7. Social Structure and Social Learning
8. Future Directions
9. Conclusion

I. Introduction

The purpose of this research paper is to provide an overview of Akers's social learning theory with attention to its theoretical roots in Sutherland's differential association theory and the behavioral psychology of Skinner and Bandura. Empirical research testing the utility of social learning theory for explaining variation in crime or deviance is then reviewed; this is followed by a discussion of recent macrolevel applications of the theory (i.e., social structure and social learning). The research paper concludes with a brief offering of suggestions for future research and a summary of the importance of social learning theory as a general theory in the criminological literature.

II. Origin and Overview of Social Learning Theory

Burgess and Akers's (1966) differential association-reinforcement theory was an effort to meld Sutherland's (1947) sociological approach in his differential association theory and principles of behavioral psychology. This was the foundation for Akers's (1968, 1973; Akers, Krohn, Lanza-Kaduce, & Radosevich, 1979) further development of the theory, which he came more often to refer to as social learning theory. Sutherland's differential association theory is contained in nine propositions:

1. Criminal behavior is learned.
2. Criminal behavior is learned in interaction with other persons in a process of communication.
3. The principal part of the learning of criminal behavior occurs within intimate personal groups.
4. When criminal behavior is learned, the learning includes (a) techniques of committing the crime, which are sometimes very complicated, sometimes very simple, and (b) the specific direction of motives, drives, rationalizations, and attitudes.
5. The specific direction of motives and drives is learned from definitions of the legal codes as favorable or unfavorable.
6. A person becomes delinquent because of an excess of definitions favorable to violation of law over definitions unfavorable to violation of the law.

7. The process of learning criminal behavior by association with criminal and anti-criminal patterns involves all of the mechanisms that are involved in any other learning.
8. Although criminal behavior is an expression of general needs and values, it is not explained by those general needs and values, because noncriminal behavior is an expression of the same needs and values.
9. Differential association varies in frequency, duration, priority, and intensity. The most frequent, longest-running, earliest and closest influences will be most efficacious or determinant of learned behavior. (pp. 6–7)

Sutherland (1947) referred to the sixth statement as the principle of differential association. According to Sutherland, an individual learns two types of definitions toward committing a particular behavior. He can either learn favorable definitions from others that would likely increase the probability that he will commit the behavior, or he can learn unfavorable definitions that would likely decrease the probability that he would engage in a particular behavior. Stated in terms of criminal involvement, when an individual learns favorable definitions toward violations of the law in excess of the definitions unfavorable to violations of the law, that individual is more likely to commit the criminal act(s).

Learning favorable versus unfavorable definitions can also be described as a process whereby individuals attempt to balance pro-criminal definitions against prosocial or conforming definitions. It is logical to assume that individuals learn favorable or pro-criminal definitions for committing crime from those involved in crime themselves (i.e., the criminals) and, in contrast, learn unfavorable definitions for committing crime from those individuals who are not involved in crime, and this assumption is supported empirically. It should be remembered, however, that it is possible for law-abiding persons to expose individuals to pro-criminal attitudes and definitions, just as it is possible for an individual to learn conforming definitions from criminals (see Cressey, 1960, p. 49).

According to Sutherland's (1947) seventh principle, the theory does not merely state that being associated with criminals leads to crime or that being associated with law-abiding persons leads to conforming behavior. It is the nature, characteristics, and balance of the differential association that affect an individual's likelihood of violating the law. More specifically, if a person is exposed to pro-criminal definitions first (priority), and these definitions increase in frequency and strength (intensity) and persist for some time (duration), the individual is more likely to demonstrate involvement in criminal and deviant acts.

Although Sutherland's (1947) differential association theory began to accumulate a rather large amount of attention throughout the sociological and criminological literature in the years after its emergence, Burgess and Akers (1966) noted that the theory had still failed to receive considerable empirical support and had yet to be adequately modified in response to some of its shortcomings and criticisms.

Some of these issues included the inconsistency both within and between studies regarding the support for differential association and a common criticism among scholars on the difficulty of operationalizing the theory's concepts. In response to these criticisms and the prior failure of differential association theorists in specifying the learning process of the theory, Burgess and Akers presented their reformulated version of the theory, that is, differential association-reinforcement theory.

To describe their revised version in terms of its modifications and derivations from the original theory (as exemplified in Sutherland's [1947] nine principles), Burgess and Akers (1966) offered the following seven principles that illustrate the process wherein learning takes place:

1. Criminal behavior is learned according to the principles of operant conditioning (reformulation of Sutherland's Principles 1 and 8).
2. Criminal behavior is learned both in nonsocial situations that are reinforcing or discriminative and through that social interaction in which the behavior of other persons is reinforcing or discriminative for criminal behavior (reformulation of Sutherland's Principle 2).
3. The principal part of the learning of criminal behavior occurs in those groups whi ch comprise the individual's major source of reinforcements (reformulation of Sutherland's Principle 3).
4. The learning of criminal behavior, including specific techniques, attitudes, and avoidance procedures, is a function of the effective and available reinforcers, and the existing reinforcement contingencies (reformulation of Sutherland's Principle 4).
5. The specific class of behaviors which are learned and their frequency of occurrence are a function of the reinforcers which are effective and available, and the rules or norms by which these reinforcers are applied (reformulation of Sutherland's Principle 5).
6. Criminal behavior is a function of norms which are discriminative for criminal behavior, the learning of which takes place when such behavior is more highly reinforced than noncriminal behavior (reformulation of Sutherland's Principle 6).
7. The strength of criminal behavior is a direct function of the amount, frequency, and probability of its reinforcement (reformulation of Sutherland's Principle 7). (pp. 132–145)1

Akers (1973, 1977, 1985, 1998) has since discussed modifications to this original serial list and has further revised the theory in response to criticisms, theoretical and empirical developments in the literature, and to ease the interpretation and explanations of the key assumptions of social learning theory, but the central tenets remain the same. It is important to note here that, contrary to how social learning is often described in the literature, social learning is not a rival or competitor of Sutherland's (1947) theory and his original propositions. Instead, it is offered as a broader theory that modifies and builds on Sutherland's theory and integrates this theoretical perspective with aspects of other scholars' principles explicated in behavioral learning theory, in particular behavioral acquisition, continuation, and cessation (see Akers, 1985, p. 41). Taken together, social learning theory is presented as a more comprehensive explanation for involvement in crime and deviance compared with Sutherland's original theory; thus, any such support that it offered for differential association theory provides support for social learning theory, and findings that support social learning theory do not negate/discredit differential association theory.

The behavioral learning aspect of Akers's social learning theory (as first proposed by Burgess and Akers, 1966) draws from the classical work of B. F. Skinner, yet, more recently, Akers (1998) commented on how his theory is more closely aligned with cognitive learning theories such as those associated with Albert Bandura (1977), among others. According to Burgess and Akers (1996) and, later, Akers (1973, 1977, 1985, 1998), the specific mechanisms by which the learning process takes place are primarily through operant conditioning or differential reinforcement. Stated more clearly, operant behavior, or voluntary actions taken by an individual, are affected by a system of rewards and punishments. These reinforcers and punishers (described later) ultimately influence an individual's decision of whether to participate in conforming and/or nonconforming behavior.

Burgess and Akers (1966) originally considered the imitation element of the behavioral learning process (or modeling) to be subsumed under the broad umbrella of operant conditioning; that is, imitation was itself seen as simply one kind of behavior that could be shaped through successive approximations and not a separate behavioral mechanism. However, Akers later began to accept the uniqueness of the learning mechanism of imitation

from operant or instrumental learning and to discuss it in terms of observational learning or vicarious reinforcement. Burgess and Akers also recognized the importance of additional behavioral components and principles of learning theory, such as classical conditioning, discriminative stimuli, schedules of reinforcement, and other mechanisms.

Considering the brief overview of social learning theory as described earlier, the central assumption and proposition of social learning theory can be best summarized in the two following statements:

The basic assumption in social learning theory is that the same learning process in a context of social structure, interaction, and situation, produces both conforming and deviant behavior. The difference lies in the direction . . . [of] the balance of influences on behavior.

The probability that persons will engage in criminal and deviant behavior is increased and the probability of their conforming to the norm is decreased when they differentially associate with others who commit criminal behavior and espouse definitions favorable to it, are relatively more exposed in-person or symbolically to salient criminal/deviant models, define it as desirable or justified in a situation discriminative for the behavior, and have received in the past and anticipate in the current or future situation relatively greater reward than punishment for the behavior. (Akers, 1998, p. 50)

It is worth emphasizing that social learning theory is a general theory in that it offers an explanation for why individuals first participate in crime and deviance, why they continue to offend, why they escalate/deescalate, why they specialize/generalize, and why they choose to desist from criminal/deviant involvement. Social learning theory also explains why individuals do not become involved in crime/deviance, instead opting to participate only in conforming behaviors. Thus, considering the generality of the theory as an explanation for an individual's participation in (or lack thereof) prosocial and pro-criminal behaviors, more attention is devoted in the following paragraphs to fleshing out the four central concepts of Akers's social learning theory that have received considerable (yet varying) amounts of attention and empirical support in the criminological literature: differential association, definitions, differential reinforcement, and imitation (Akers, 1985, 1998; Akers et al., 1979).

III. Differential Association

The differential association component in Akers's social learning theory is one of primary importance. Although its significance cannot simply be reduced to having "bad" friends, the individuals with whom a person decides to differentially associate and interact (either directly or indirectly) play an integral role in providing the social context wherein social learning occurs. An individual's direct interaction with others who engage in certain kinds of behavior (criminal/deviant or conforming) and expose the individual to the norms, values, and attitudes supportive of these behaviors affects the decision of whether the individual opts to participate in a particular behavior.

Akers has indicated that family and friends (following Sutherland's [1947] emphasis on "intimate face-to-face" groups) are typically the primary groups that are the most salient for exposing an individual to favorable/unfavorable definitions and exhibiting conforming and/or nonconforming behaviors. For the most part, learning through differential association occurs within the family in the early childhood years and by means of the associations formed in school, leisure, recreational, and peer groups during adolescence. In contrast, during young adulthood and later in life, the spouses, work groups, and friendship groups typically assume the status of the primary group that provides the social context for learning. Secondary or reference groups can also indirectly provide the context for learning if an individual differentially associates him or herself with the behaviors, norms, values, attitudes, and

beliefs with groups of individuals, including neighbors, church leaders, schoolteachers, or even what Warr (2002) called virtual groups, such as the mass media, the Internet, and so on.

According to the theory, the associations that occur early (priority); last longer or occupy a disproportionate amount of one's time (duration); happen the most frequently; and involve the intimate, closest, or most important partners/peer groups (intensity) will likely exert the greatest effect on an individual's decision to participate in either conforming or nonconforming behavior. Taking these elements into consideration, the theory proposes that individuals are exposed to pro-criminal and prosocial norms, values, and definitions as well as patterns of reinforcement supportive of criminal or prosocial behavior. The more an individual is differentially associated and exposed to deviant behavior and attitudes transmitted by means of his or her primary and secondary peer groups, the greater his or her probability is for engaging in deviant or criminal behavior:

The groups with which one is in differential association provide the major social contexts in which all of the mechanisms of social learning operate. They not only expose one to definitions, but they also present one with models to imitate and differential reinforcement (source, schedule, value, and amount) for criminal or conforming behavior. (Akers & Sellers, 2004, pp. 85–86)

IV. Definitions

Definitions are one's own orientations and attitudes toward a given behavior. These personal as opposed to peer and other group definitions (i.e., differential association) are influenced by an individual's justifications, excuses, and attitudes that consider the commission of a particular act as being more right or wrong, good or bad, desirable or undesirable, justified or unjustified, appropriate or inappropriate. Akers considered these definitions to be expressed in two types: (1) general and (2) specific. General beliefs are one's personal definitions that are based on religious, moral, and other conventional values. In comparison, specific beliefs are personal definitions that orient an individual either toward committing or away from participating in certain criminal or deviant acts. For example, an individual may believe that it is morally wrong to assault someone and choose not to partake in or condone this sort of violence. Yet, despite his belief toward violence, this same individual may not see any moral or legal wrong in smoking a little bit of marijuana here and there.

Akers also has discussed personal definitions as comprising either conventional beliefs or positive or neutralizing beliefs. Conventional beliefs are definitions that are negative or unfavorable toward committing criminal and deviant acts or favorable toward committing conforming behaviors. In contrast, positive or neutralizing beliefs are those that are supportive or favorable toward crime and deviance. A positive belief is a definition an individual holds that committing a criminal or deviant act is morally desirable or wholly permissible. For instance, if an individual believes that it is "cool" and wholly acceptable to get high on marijuana, then this is a positive belief favorable toward smoking marijuana. Not all who hold this attitude will necessarily indulge, but those who adhere to these definitions have a much higher probability of using marijuana than those who hold to conventional or negative definitions. A neutralizing belief also favors the commission of a criminal or deviant act, but this type of belief is influenced by an individual's justifications or excuses for why a particular behavior is permissible. For instance, one may have an initially negative attitude toward smoking marijuana but through observation of using models and through associating with users come to accept it as not really bad, or not as harmful as using alcohol, or otherwise come to justify or excuse its use.

Akers's conceptualization of neutralizing definitions incorporates notions of verbalizations, techniques of neutralization, and moral disengagement that are apparent in other behavioral

and criminological literatures (see Bandura, 1990; Cressey, 1953; Sykes & Matza, 1957). Examples of these neutralizing definitions (i.e., justifications, rationalizations, etc.) include statements such as "I do not get paid enough, so I am going to take these office supplies"; "The restaurant makes enough money, so they can afford it if I want to give my friends some free drinks"; "I was under the influence of alcohol, so it is not my fault"; and "This individual deserves to get beat up because he is annoying." These types of beliefs have both a cognitive and behavioral effect on an individual's decision to engage in criminal or deviant behavior. Cognitively, these beliefs provide a readily accessible system of justifications that make an individual more likely to commit a criminal or deviant act. Behaviorally, they provide an internal discriminative stimulus that presents an individual with cues as to what kind of behavior is appropriate/justified in a particular situation. For example, if a minimum-wage employee who has been washing dishes full-time at the same restaurant for 5 years suddenly gets his or her hours reduced to part-time because the manager chose to hire another part-time dishwasher, then the long-time employee might decide to steal money from the register or steal food because she believes that she has been treated unjustly and "deserves" it.

Akers and Silverman (2004) went on to argue that some personal definitions are so intense and ingrained into an individual's learned belief system, such as the radical ideologies of militant and/or terrorists groups, that these definitions alone exert a strong effect on an individual's probability of committing a deviant or criminal act. Similarly, Anderson's (1999) "code of the street" can serve as another example of a personal definition that is likely to have a significant role in motivating an individual to participate in crime or deviance. For example, if an urban inner-city youth is walking down the street and observes another youth (who resides in the same area) flaunting nice jewelry, then the urban juvenile might feel justified in "jumping" the kid and taking his jewelry because of the code of the street or the personal belief that "might makes right." Despite these examples, Akers suggested that the majority of criminal and deviant acts are not motivated in this way; they are either weak conventional beliefs that offer little to no restraint for engaging in crime/deviance or they are positive or neutralizing beliefs that motivate an individual to commit the criminal/deviant act when faced with an opportunity or the right set of circumstances.

V. Differential Reinforcement

Similar to the mechanism of differential association, whereby an imbalance of norms, values, and attitudes favorable toward committing a deviant or criminal act increases the probability that an individual will engage in such behavior, an imbalance in differential reinforcement also increases the likelihood that an individual will commit a given behavior. Furthermore, the past, present, and future anticipated and/or experienced rewards and punishments affect the probability that an individual will participate in a behavior in the first place and whether he or she continues or refrains from the behavior in the future. The differential reinforcement process operates in four key modes: positive reinforcement, negative reinforcement, positive punishment, and negative punishment.

Consider the following scenario. John is a quiet and shy boy who has difficulty making friends. Two of his classmates approach him on the playground and tell him that they will be his friend if he hits another boy because they do not like this particular child. John may know that hitting others is not right, but he decides to go along with their suggestion in order to gain their friendship. Immediately after he punches the boy, his classmates smile with approval and invite John to come over to their house after school to play with them. This peer approval serves as positive reinforcement for the assault. Positive reinforcement can also be provided when a behavior yields an increase in status, money, awards, or pleasant feelings.

Negative reinforcement can increase the likelihood that a behavior will be repeated if the act allows the individual to escape or avoid adverse or unpleasant stimuli. For example, Chris

hates driving to and home from work because every day he has to drive through the same speed trap on the interstate. One day, Chris decides to come into work 1 hour early so he can in turn leave 1 hour early. Chris realizes that by coming in early and subsequently leaving early, he is able to avoid the speed trap because the officers are not posted on the interstate during his new travel times. He repeats this new travel schedule the following day, and once again he avoids the speed trap. His behavior (coming in an hour early and leaving an hour early) has now been negatively reinforced because he avoids the speed trap (i.e., the negative stimulus).

In contrast to reinforcers (positive and negative), there are positive and negative punishers that serve to increase or decrease the probability of a particular behavior being repeated. For example, Rachel has always had a designated driver when she decides to go out to the bar on Friday nights, but on one particular night she decides to drive herself to and from the local bar. On her way home, she gets pulled over for crossing the yellow line and is arrested for driving under the influence. Her decision and subsequent behavior to drink and drive resulted in a painful and unpleasant consequence: an arrest (a positive punishment).

This last scenario is an example of negative punishment. Mark's mom decides to buy him a new car but tells him not to smoke cigarettes in the car. Despite his mom's warning, Mark and his friends still decide to smoke cigarettes in the vehicle. His mom smells the odor when she chooses to drive his car to the grocery store one day and decides to take away Mark's driving privileges for 2 months for not following her rules. Mark's behavior (smoking cigarettes in the car) has now been negatively punished (removal of driving privileges).

Similar to differential association, there are modalities for differential reinforcement; more specifically, rewards that are higher in value and/or are greater in number are more likely to increase the chances that a behavior will occur and be repeated. Akers clarified that the reinforcement process does not necessarily occur in an either–or fashion but instead operates according to a quantitative law of effect wherein the behaviors that occur most frequently and are highly reinforced are chosen in favor of alternative behaviors.

VI. Imitation

Imitation is perhaps the least complex of the four dimensions of Akers's social learning theory. Imitation occurs when an individual engages in a behavior that is modeled on or follows his or her observation of another individual's behavior. An individual can observe the behavior of potential models either directly or indirectly (e.g., through the media). Furthermore, the characteristics of the models themselves, the behavior itself, and the observed consequences of the behavior all affect the probability that an individual will imitate the behavior. The process of imitation is often referred to as vicarious reinforcement (Bandura, 1977). Baldwin and Baldwin (1981) provided a concise summary of this process:

> Observers tend to imitate modeled behavior if they like or respect the model, see the model receive reinforcement, see the model give off signs of pleasure, or are in an environment where imitating the model's performance is reinforced. . . . Inverse imitation is common when an observer does not like the model, sees the model get punished, or is in an environment where conformity is being punished. (p. 187)

Although social learning theory maintains that the process of imitation occurs throughout an individual's life, Akers has argued that imitation is most salient in the initial acquisition and performance of a novel or new behavior. Thus, an individual's decision to engage in crime or deviance after watching a violent television show for the first time or observing his friends attack another peer for the first time provides the key social context in which imitation can

occur. Nevertheless, the process of imitation is still assumed to exert an effect in maintaining or desisting from a given behavior.

VIII. Social Structure and Social Learning: Theoretical Assumptions and Preliminary Evidence

Akers's social learning theory has explained a considerable amount of the variation in criminal and deviant behavior at the individual level (see Akers & Jensen, 2006), and Akers (1998) recently extended it to posit an explanation for the variation in crime at the macrolevel. Akers's social structure and social learning (SSSL) theory hypothesizes that there are social structural factors that have an indirect effect on individuals' behavior. The indirect effect hypothesis is guided by the assumption that the effect of these social structural factors is operating through the social learning variables (i.e., differential association, definitions, differential reinforcement, and imitation) that have a direct effect on individuals' decisions to engage in crime or deviance. Akers (1998; Akers & Sellers, 2004, p. 91) identified four specific domains of social structure wherein the social learning process can operate:

1. Differential social organization refers to the structural correlates of crime in the community or society that affect the rates of crime and delinquency, including age composition, population density, and other attributes that lean societies, communities, and other social systems "toward relatively high or relatively low crime rates" (Akers, 1998, p. 332).
2. Differential location in the social structure refers to sociodemographic characteristics of individuals and social groups that indicate their niches within the larger social structure. Class, gender, race and ethnicity, marital status, and age locate the positions and standing of persons and their roles, groups, or social categories in the overall social structure.
3. Theoretically defined structural variables refer to anomie, class oppression, social disorganization, group conflict, patriarchy, and other concepts that have been used in one or more theories to identify criminogenic conditions of societies, communities, or groups.
4. Differential social location refers to individuals' membership in and relationship to primary, secondary, and reference groups such as the family, friendship/peer groups, leisure groups, colleagues, and work groups.

With attention to these social structural domains, Akers contended that the differential social organization of society and community and the differential locations of individuals within the social structure (i.e., individuals' gender, race, class, religious affiliation, etc.) provide the context in which learning occurs (Akers & Sellers, 2004, p. 91). Individuals' decisions to engage in crime/deviance are thus a function of the environment wherein the learning takes place and the individuals' exposure to deviant peers and attitudes, possession of definitions favorable to the commission of criminal or deviant acts, and interactions with deviant models. Stated in terms of a causal process, if the social learning variables mediate social structural effects on crime as hypothesized, then (a) the social structural variables should exhibit direct effects on the social learning variables; (b) the social structural variables should exert direct effects on the dependent variable; and (c) once the social learning variables are included in the model, these variables should demonstrate strong independent effects on the dependent variable, and the social structural variables should no longer exhibit direct effects on the dependent variable, or at least their direct effects should be substantially reduced.

Considering the relative novelty of Akers's proposed social structure and social learning theory, only a handful of studies thus far have attempted to examine its theoretical assumptions and/or its mediation hypothesis. However, the few preliminary studies to date have demonstrated positive findings in support of social structure and social learning for

delinquency and substance use, elderly alcohol abuse, rape, violence, binge drinking by college students, and variation in cross-national homicide rates (Akers & Jensen, 2006). Yet, despite the consistency of positive preliminary findings in support of Akers's social structure and social learning theory, there are some non-supportive findings, and it is still too soon to make a definitive statement that social learning is the primary mediating force in the association between social structure and crime/deviance. Nevertheless, these few studies provide a suitable benchmark against which future studies testing the theory can build upon and improve.

IX. Future Directions

The future of social learning theory lies along three paths. First, there will continue to be further and more accurate tests of social learning at the micro- or process level (i.e., at the level of differences across individuals), including measures of variables from other criminological theories, and these studies will use better measures of all of the central concepts of the theory. Having said this, it is not likely that the empirical findings will be much different from the research so far, but these future studies should continue to include more research on social leaning explanations of the most serious and violent criminal behavior as well as white-collar and corporate crime.

Second, there is need for continued development and testing of the SSSL model, again using better measures. A very promising direction that this could take would follow the lead of Jensen and Akers (2003, 2006) to extend the basic social learning principles and the SSSL model "globally" to the most macrolevel. Structural theories at that level are more apt to be valid the more they reference or incorporate the most valid principles found at the individual level, and those are social learning principles.

Third, social learning principles will continue to be applied in cognitive–behavioral (Cullen, Wright, Gendreau, &Andrews, 2003) prevention, treatment, rehabilitation, and correctional programs and otherwise provide some theoretical underpinning for social policy. Research on the application and evaluations of such programs have thus far found them to be at least moderately effective (and usually more effective than alternative programs), but there are still many unanswered questions about the feasibility and effectiveness of programs designed around social learning theory.

Future research along all of these lines is also more likely to be in the form of longitudinal studies over the life course and to be cross-cultural studies of the empirical validity of the theory in different societies. If social learning is truly a general theory, then it should have applicability to the explanation and control of crime and deviance not only in American and Western societies but also societies around the world. There have already been some cross-cultural studies supporting the social learning theory (see, e.g., Hwang &Akers, 2003; Miller, Jennings, Alvarez-Rivera, & Miller, 2008), but much more research needs to examine both how well the theory holds up in different societies and on how much variation there is in the effects of the social learning variables in different cultures.

X. Conclusion

The purpose of this research paper was to provide a historical overview of the theoretical development of Akers's social learning theory, review the seminal research testing the general theory, and discuss the recently proposed macrolevel version of social learning theory (i.e., social structure and social learning), as well as offer suggestions of where future research may wish to proceed in order to further advance the status of the theory. What is clear from the research evidence presented in this research paper, along with a number of studies that have not been specifically mentioned or discussed in this research paper (for a

review, see Akers & Jensen, 2006), is that social learning has rightfully earned its place as a general theory of crime and deviance. One theorist has referred to it (along with control and strain theories) as constituting the "core" of contemporary criminological theory (Cullen, Wright, & Blevins, 2006). The theory has been rigorously tested a number of times, not only by the theorist himself but also by other influential criminologists and sociologists; it has been widely cited in the scholarly literature and in textbooks; it is a common topic covered in a variety of undergraduate and graduate courses; and it provides a basis for sound policy and practice.

Ultimately, the task levied at any general theory of crime and deviance is that it should be able to explain crime/deviance across crime/deviance type, time, place, culture, and context. Therefore, if past behavior is the best predictor of future behavior, then the expectation is that social learning theory will continue to demonstrate its generalizability across these various dimensions and that future tests of Akers's SSSL theory will also garner support as a macrolevel explanation of crime. Yet these outcomes are indeed open to debate. No theory can account for all variations in criminal behavior. Only through the process of continuing to subject the theory and its macrolevel version to rigorous and sound empirical tests in sociology and criminology can it be determined how much the theory can account for on its own and in comparison to other theories.

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TABLE OF CONTENTS

SECTION II

1. Juvinile Justice System, History & Evolution
2. Juvinile Deliquency, Meaning & Definitions
3. Theories Of Juvinile Delinquency
4. Juvinile Justice System In Pakistan
5. Juvinile Delinquency A Psychological Outlook
6. Juvinile Justice System Ordinance 2002
7. Criminal Justice In Pakistan
8. Juvinile Law Status Offenses
9. Code Of Criminal Procedure Act 1898

JUVENILE JUSTICE SYSTEM HISTORY

The **juvenile court system** addresses court cases that involve individuals under the age of eighteen-years-old. The system is over one-hundred years old, and the origins will be discussed here.

At the beginning of the nineteenth century, the law drew a divide between juveniles and adults. This line was typically drawn where the offender could determine the wrongfulness of his actions.

Children under the age of seven were determined to be **infants**, who could not know that their acts were wrong and therefore could not be found guilty of a felony. A **felony** is a criminal action that is punishable by prison time.

Children over the age of fourteen-years-old were determined to be capable of understanding the wrongfulness of their acts and were treated like adults. Children in the range of seven to fourteen were not so easily classified. Therefore, if they seemed to understand that their acts were wrong, then they could be treated as adults. If children in this zone did not seem to understand, then they were treated as infants.

Later in the nineteenth century, the treatment of juveniles began to change. Reformers believed that there needed to be special facilities to deal with troubled juveniles who found themselves in trouble with the law. Therefore, Chicago and New York became the first two cities in the United States to house juvenile offenders separate from adult offenders. Then, in 1899, Cook County, Illinois opened the first juvenile court.

The theory of the juvenile court was to rehabilitate juvenile offenders not punish them. The doctrine of **parens patriae**, meaning parent of the country, became the guiding light to allow the state to serve as the guardian of juveniles with physical, legal or mental disabilities. The courts followed the 'best interests of the child' in determining what would help the juvenile become a productive member of society. In some cases, this meant removing the juvenile from the home and placing him in an institution in order to rehabilitate him in the most effective way possible.

The Evolution Today, the structure of the juvenile court remains essentially the same as it did decades ago. What has evolved are the interpretation of the rights that juveniles possess while working their way through the system.

The U.S. Supreme Court in 1963 established that every citizen, including a juvenile, has the right to have an attorney in a criminal proceeding via **Gideon v. Wainwright**. Because of this case, integrated into the structure of the juvenile court process is the juvenile's **attorney**, who answers any questions a juvenile may have and represents their legal rights in court.

Depending on the seriousness of the offense and the juvenile's age when he committed the offense, he may be facing a **bindover**. A bindover is a proceeding to determine if the juvenile should be tried as an adult in court instead of as a minor. This bindover proceeding to determine where a juvenile case is held has not always existed. The U.S. Supreme Court in 1966, ruled in **Kent v. United States** that a juvenile is entitled to a hearing where his attorney can have access to all records, and in which, the court provides a written statement of all the reasons for the bindover to the adult system.

Through the U.S. Supreme Court case **In re Gault** in 1967, juvenile constitutional trial rights were settled. The U.S. Supreme Court ruled that in cases that could result in incarceration for

a juvenile, that they had the same trial rights as an adult, such as the right to a lawyer, to question witnesses and the right against self-incrimination.

JUVENILE DELINQUENCY

The behavior of a minor child that is marked by criminal activities, persistent antisocial behavior, or disobedience which the child's parents are unable to control.

A violation of the law by a minor, which is not punishable by death or life imprisonment.

Juvenile delinquency is the participation by a minor child, usually between the ages of 10 and 17, in illegal behavior or activities. Juvenile delinquency is also used to refer to children who exhibit a persistent behavior of mischievousness or disobedience, so as to be considered out of parental control, becoming subject to legal action by the court system. Juvenile delinquency is also known as "juvenile offending," and each state has a separate legal system in place to deal with juveniles who break the law. To explore this concept, consider the following juvenile delinquency definition.

Origin 1810-1820

Juvenile Delinquency: Juvenile delinquency occurs when a minor violates a criminal statue. When a juvenile commits a crime, the procedures that take place differ from those of an adult offender. In all states, juvenile court systems, and juvenile detention facilities, deal specifically with underage offenders. While it is common for state statutes to consider people under the age of 17 as minors, the justice system can charge minors even younger as adults, if the crime committed is very serious.

Juvenile Delinquents: Juvenile delinquents are often defined as children between the ages of 10 and 17 who have committed a criminal act. There are two main types of offenders: repeat offenders and age specific offenders.

Repeat Offenders Repeat offenders are also known as "life-course persistent offenders." These juvenile delinquents begin offending or showing other signs of antisocial behavior during adolescence. Repeat offenders continue to engage in criminal activities or aggressive behaviors even after they enter adulthood.

Age-Specific Offenders This type of juvenile delinquent behavior begins during adolescence. Unlike the repeat offenders however, the behaviors of the age-specific offender ends before the minor becomes an adult.

The behaviors that a juvenile shows during adolescence are often a good indicator of the type of offender he will become. While age-specific offenders leave their delinquent behavior behind when they enter adulthood, they often have more mental health problems, engage in substance abuse, and have greater financial problems than adults who were never delinquent as juveniles.

Risk Factors and Predictors of Juvenile Delinquency

Many children garner the label of juvenile delinquent early, often between the ages of 6 and 12 years. Many juvenile behaviors during the pre-teen and teenage years may be considered normal behavior for children, as they stretch their boundaries, and struggle to develop their

self perception. There are, however, certain signs that a child might be headed in a bad direction.
Predictors of juvenile delinquencies may appear as early as preschool, and often include:

- Abnormal or slow development of basic skills, such as speech and language
- Chronic violation of the rules
- Serious aggressive behavior toward other students or teachers

Studies have found that a number of life circumstances constitute risk factors for a child to become a juvenile delinquent. While these are many and varied, the most common risk factors for juvenile delinquency include:

- Authoritarian Parenting – characterized by the use of harsh disciplinary methods, and refusal to justify disciplinary actions, other than by saying "because I said so."
- Peer Association – usually resulting from leaving adolescents unsupervised, encouraging a child to engage in bad behaviors when acting with his peer group.
- Low Socioeconomic Status
- Permissive Parenting – characterized by lack of consequences for bad behavior, permissive parenting can be broken down into two subcategories: (1) neglectful parenting, which is a lack of monitoring a child's activities, and (2) indulgent parenting, which is the enablement of bad behavior.
- Poor School Performance
- Peer Rejection
- ADHD and other mental disorders

Dealing with Juvenile Delinquency

The procedures followed in the juvenile justice system differ greatly from those followed for adult offenders. Each state has specific programs or systems that deal with juvenile offenders. Juvenile offenders come into police contact in number of ways. Some are caught committing a crime and arrested, others are referred to police by parents or school officials. Once the police have become involved, they may choose to deal with a juvenile offender in several ways. The police can:

- issue a warning and release of the minor
- detain the minor and notify the parents to pick him up
- refer the case to juvenile court
- arrest the minor and refer the case to juvenile court

If the case goes to court, the minor and the parents meet with a juvenile court intake officer. The intake officer can handle the case informally, referring the juvenile to a probation officer, he can dismiss the case, or he can file formal charges. When deciding whether to file charges, officers often consider:

- the offense
- the offender's age
- the offender's previous record
- the offender's educational or social history
- the ability of the parents to control the offender's behavior or seek help

If dealt with informally, the minor reports to a probation officer, and is given advice and ordered to perform community service, pay fines, attend treatment, or enter probation.

If charges are filed in juvenile court, the minor is arraigned, at which time his charges are read before a judge. The judge then decides whether to detain or release the juvenile until the hearing takes place. After appearing in court, three things are possible:

1. **Plea Agreement** – the minor may enter a plea agreement with the court. This often requires the juvenile to comply with certain conditions, such as attending counseling, obeying a curfew.
2. **Diversion** – the judge may divert the case, which means he retains control over the matter until the juvenile successfully completes treatment programs or performs community services. If the juvenile fails to comply, formal charges may be reinstated.
3. **Adjudicatory Hearing** – the judge may decide to have an adjudicatory hearing, which is a trial in a juvenile case. While both sides argue the case and present evidence, a juvenile trial takes place in front of a judge, not a jury. If, at the end of the hearing, the judge decides the juvenile is delinquent, he may order punishments such as probation, community service, or even detention in a juvenile center.

Preventing Juvenile Delinquency

Prevention of juvenile delinquency serves at-risk youths, their families, and the public, as it can put a stop to the transition of juvenile offenders to adult offenders. Prevention services are offered by a number of government and private agencies, and include such services as:

- Substance Abuse Treatment
- Family Counseling
- Individual Counseling
- Parenting Education
- Family Planning Services

The availability of education, and encouragement of minors in obtaining an education, plays a large role in prevention of juvenile delinquency. This is because education promotes social cohesion, and helps children of all ages learn to make good choices, and to practice self-control.

Juvenile Delinquent Turns His Life Around

Youth engaging in illegal behavior is a rampant issue, though most of those juvenile delinquents manage to turn their lives around, and become a productive and happy member of society.

Actor Mark Wahlberg grew up one of nine children in a three-bedroom apartment. Though successful in today's world, he had his fair share of trouble with the law as a minor. At the age of 14, Wahlberg joined a gang, and remained on law enforcement's radar until he was locked up at the age of 16, with offenses such as drug dealing and assault. Wahlberg had attacked two men, blinding one. Having been originally charged with attempted murder, the charges were later reduced to criminal contempt, for which Wahlberg served only 45 days in a correctional facility.

After being discharged from the correctional facility, Wahlberg decided to follow in the shoes of his older brother, Donnie, who had earned fame as part of "The New Kids on the Block." Mark Wahlberg got a record contract heading up the musical group "Marky Mark and the Funky Bunch," and put his life back on course.

Wahlberg now has a family with four children, and lives a life dedicated to them, as well as to a number of charity causes. Wahlberg's 1993 debut into acting has seen him become one of the most popular actors in and he has a long list of TV and big screen credits to his name.

Related Legal Terms and Issues

- **Criminal Arraignment** – The arraignment process is used for criminal cases only. In some jurisdictions , criminal arraignment is only used in felony cases.
- **Hearing** – A proceeding before the court at which an issue of fact or law is heard, evidence presented, and a decision made.
- **Offender** – A violation of law or rule, the committing of an illegal act.
- **Restitution** – The restoration of rights or property previously taken away or surrendered; reparation made by giving compensation for loss or injury caused by wrongdoing.
- **Trial** – A formal presentation of evidence before a judge and jury for the purpose of determining guilt or innocence in a criminal case, or to make a determination in a civil matter.

What Is Juvenile Delinquency According to FBI?

According to the FBI, a juvenile is anyone under the age of 18 regardless of how each individual state defines a juvenile. A delinquent is an individual who fails to obey the laws. **Juvenile delinquency** is defined as an individual under the age of 18 who fails to abide by the laws.

Theories on Juvenile Delinquency

There are three common theories on juvenile delinquency. The three theories are the anomie theory, the subculture theory, and the differential opportunity theory.

Anomie Theory The anomie theory was first written in the 1940s by Robert Merton. Merton's theory explains that juvenile delinquency occurs because the juveniles do not have the means to make themselves happy. Their goals are unattainable within legal means so they find unlawful means by which to attain their goals.

An example would be a juvenile who has had a goal to get a job and purchase a car. The juvenile is not able to find a job to make money so he either steals a car or he steals money to purchase a car.

Subculture Theory Another theory about juvenile delinquency is the subculture theory. In 1955, Albert Cohen developed the subculture theory, which is a culmination of several of his theories. The subculture theory is much like it sounds; juveniles that do not meet the social standards seek validation from a subculture. The subculture group is formed of other juveniles who also do not meet the social standards.

These groups then act in manners that are not socially acceptable and rebel against the socially acceptable standards. According to Cohen, juvenile delinquency is a product of society. The juveniles commit crimes, such as stealing, because it is not a social norm, and they do it to fit in with their subculture.

Differential Opportunity Theory The differential opportunity theory does not fully support Cohen's theory that juveniles become delinquent when they do not meet society's standards. Differential opportunity theory, developed by Richard Cloward and Lloyd Ohlin in 1960, believes that opportunity plays a role in juvenile delinquency.

Cloward and Ohlin's theory states that if juveniles have more opportunities to succeed, then they would be less likely to turn to subculture groups for validation. Additionally, the differential opportunity theory believes that there can be other circumstances besides social factors that add to a juvenile's delinquency.

Cloward and Ohlin's theory believes that the juvenile may be successful during school but may fail to find gainful employment. The inability to find gainful employment can lead the juvenile to be delinquent and not the social factors. The differential opportunity theory differs from the subculture theory because there are reasons other than social factors that can lead a juvenile to be delinquent. If the juvenile has more opportunities they are more willing to succeed than to join a subculture.

JUVENILE JUSTICE IN PAKISTAN

Most of the laws having to do with protection of children's rights in Pakistan date from well before the development of the Convention on the Rights of the Child in 1990. Although most of these statutes were legally superceded by the introduction of the Juvenile Justice System Ordinance in 2000, it is worth looking back at the older laws as many of them are still enforced in the Tribal Areas excluded by the JJSO and in areas where it has not yet been fully implemented. Many of them also put forward different ages of criminal responsibility, leading to children of the same age being subject to considerably different treatment depending on where they live and what gender they are.

The Age of Criminal Responsibility Pakistan's Penal Code sets the age of criminal responsibility at twelve, with children between the ages of seven and twelve deemed criminally responsible if they have "attained sufficient maturity of understanding to judge…the nature and consequences" of their "conduct on that occasion." Children aged seven and older are therefore potentially eligible for the full range of penalties provided for in the Code, including death and life imprisonment.

The Zina Ordinance defines the age of majority as sixteen for females and eighteen for males, or the attainment of puberty for either. Because the promulgation of the Zina Ordinance entailed the abolition of Pakistan's statutory rape law, girls as young as twelve have been prosecuted for having extra-marital intercourse under circumstances that would previously have mandated statutory rape charges against there assailant (see below).

Juvenile Courts and Law Prior to July 2000, juvenile laws existed in only two of Pakistan's provinces. The first of these was Sindh, where a Children's Act was passed in 1955 and eventually implemented 19 years later when it was made applicable to the Hyderabad and Sukkur divisions in 1974. It was intended to replace the Bombay Children's Act of 1924, and contained similar provisions, including:

1. Delegating powers of a juvenile court to a District Magistrate;
2. Defining a youthful offender as any person below 16 years of age (at the time of commission of the offence);
3. Providing that not person under 16 could be sentenced to death, transportation or imprisonment;
4. Giving other courts the power to try a child if a juvenile court did not exists;
5. Prohibiting the joint trial of adults and children;

6. Empowering a police officer to release a child arrested on charge of a non-bailable offence provided that releasing the child would not place him/her in any danger or bring him in contact with adult criminals.
7. Although the Sindh Children's Act was legally superceded by the Juvenile Justice System Ordinance (JJSO) in 2000 (see below), it continues to be applied by judges who lack up-to-date awareness of the new laws.

The Hadood Laws of 1979 These laws were introduced to Pakistan as part of President Zia-ul-Haq's move to Islamize national law with an extra layer of concepts and judicial structures. Under this policy, sections of the Pakistan Penal Code (PPC) substituted with Islamic provisions, a parallel Islamic court structure was set up, and a constitutional amendment was introduced stipulating that all laws in Pakistan have to conform to Islamic injunctions.

Most of the Hadood laws relate to the offences of armed robbery, theft, rape, fornication, false accusation of fornication, drinking, and drug-taking, with strict fixed punishments for certain crimes once adequate evidence if obtained. These fixed punishments – known as hadd – include stoning to death for fornication, judicial amputation for theft and armed robbery and flogging for consumption of intoxicants, all of which are of particular concern to street children and street girls in particular.

Over the years, there have been many attempts to repeal the Hadood laws, most prominently by the Commission of Inquire for Women in 1997 and by the Special Committee of the National Commission on the Status of Women (which had been set up to review the Hadood Ordinances in 2002), in August 2003. However, both attempts were unsuccessful. Although the hadd punishments may not actually be imposed on individuals convicted of crimes as children, it is important to note that the definition of a child in Hadood law is simply 'a person who has not attained puberty'. Thus, a girl of 12 who has attained puberty is legally adult, and could be sentenced to hadd punishment under the Hadood laws. This is a matter for concern, as the JJSO does not legally override the Hadood Laws.

The Zina Ordinance The most far-reaching of the Hadood Ordinances is that governing zina, which in addition to criminalizing extra-marital sex, establishes separate ages of majority for men and women and dramatically narrows the definition of rape. The promulgation of the Zina Ordinance was followed by a sharp increase in the number of women in prison. While the number of female children in Pakistan's prison remains low, those accused of zina account for a grossly disproportionate share of the cases. Of the fourteen girls in Punjab prisons who remained under trial at the end of February 1998, according to official statistics, eleven were charged under the Zina Ordinance.

The Zina Ordinance defines the age of majority as sixteen for females and eighteen for males, or the attainment of puberty for either. Because the promulgation of the Zina Ordinance entailed the abolition of Pakistan's statutory rape law, girls as young as twelve have been prosecuted for having extra-marital intercourse under circumstances that would previously have mandated statutory rape charges against their assailant. In addition, attaining majority at puberty exposes young children to the prospect of hadd (Quranic) punishments, including whipping, amputation, and death by stoning. For minors, the maximum punishment for zina offences is either imprisonment for up to five years, a fine, or both. Children may additionally be sentenced to receive up to thirty lashes of a whip. It should be noted, however, that sentences to hadd punishments must be confirmed by an appellate court, and that no hadd punishments have yet been carried out up to the time of writing.

The Punjab Youthful Offenders Ordinance 1983 The Punjab Youthful Offenders Ordinance was very similar to the Sindh Children's Act in nature, but introduced to be applied in the Punjab province of Pakistan only. The one notable difference in relation to its Sindh counterpart was that it defined a child as anyone aged 15 or below at the time of commission of the offence. As with the Sindh Act, however, it too was legally superceded by the JJSO of 2000.

The Juvenile Justice System Ordinance (JJSO) 2000 Following the ratification of the CRC in 1990, the government of Pakistan promulgated the "Juvenile Justice System Ordinance – 2000" (JJSO 2000), which provides for the protection of children involved in criminal litigation. It came into force immediately and was a marked step forward in establishing a fairer and more child-friendly justice system in Pakistan. Although the JJSO contains a number of excellent provisions and rules regarding the appropriate treatment of children in conflict with the law (see table and flowchart below), it does not contain any guidance or protection relating to street children in particular. Moreover, a significant problem is that it does not as yet apply to the Federally Administered Tribal Areas (FATA) or the Provincially Administered Trial Areas (PATA). This is in line with Article 247(3) of the Constitution of Pakistan, which states that no act of Parliament shall apply to any FATA until it is directed as such by the President of Pakistan himself. To date, President Musharraf has made no such declaration, which means that children in these two areas do not have the protection of the JJSO, and can still face the death penalty sentence.

Recent reports from these areas have also raised cause for concern. In March 2003, the Society for the Protection of the Rights of the Child (SPARC) stated in their monthly newsletter that:

"…normal courts try juvenile offenders in PATA, while in FATA, where there are no normal courts and the superior courts have no jurisdiction, political agents and assistants act as administrative as well as judicial officers."

The use of political agents in FATA is particularly worrying, as they do not distinguish when sentencing between an adult and a child.

(JUVINILE JUSTICE SYSTEM ORDINANCE 2002 BY AMIR MUNIR CIVIL JUDGE)

JUVENILE DELINQUENCY: A PSYCHOLOGICAL OUTLOOK

An article by Ayesha Fakhar

Reasons and results of crime among youth

Juvenile delinquency is a problem that is currently affecting populations all over the world. Understanding juvenile delinquency is important to make the masses understand what it really means and how to react to it. When deviant behaviour becomes continuous, chronic and widespread it gets perceived a as a significant part of the population as threatening to the general wellbeing of the society. Juvenile delinquency is a bio-psycho-social phenomenon, the concept is clear cut. Legally speaking the definition differs across countries. In many European countries, a minor is legally considered a delinquent if his breach of the penal code is an offence for the entire population whereas in the US, an individual is considered a delinquent if a number of behaviours are depicted: truancy from school, disobedience to

parents, consumption of alcohol, and smoking at institutions all are considered juvenile offences.

Juvenile delinquency, also known as juvenile offending, is participation in illegal behaviours by minors/individuals younger than the statutory age of maturity. Juvenile crime in law denotes various offences committed by children or youth under age 18. These acts are referred to as juvenile acts. Psychologically proven, delinquents form a well defined group in the society and considered socially maladjusted mainly because of the socio-cultural differences. The social maladjustment and lack of adaptation is due to constitutional, endogenous, sociological and biological reasons. The existence of antisocial behavioural traits against which defences are built to prevent their manifestations, sometimes however under continuous or temporary pressure, these defences are overwhelmed that lead to delinquent behaviour. These antisocial personality traits are present mainly in individuals with disrupted superegos.

Antisocial personality disorder is thus characterised by a long-standing pattern of a disregard for other people's rights, often crossing the line and violating those rights

According to a prominent psychiatric theory of delinquency, known as the "superego lacunae" theory, children have lacunae in their superego and due to the parental projection of their difficulties and various pressures onto the children allow them to receive vicarious pleasures from delinquent acts.

Antisocial personality disorder is thus characterised by a long-standing pattern of a disregard for other people's rights, often crossing the line and violating those rights. It usually begins in childhood or as a teen and continues into their adult lives. Individuals with antisocial personality disorder frequently lack empathy and tend to be callous, cynical, and contemptuous of the feelings, rights, and sufferings of others. They may have an inflated and arrogant self-appraisal. Children with juvenile tendency have antisocial personality traits which makes them heartless and insensitive towards life in general.

Psychoanalytic theories of delinquency, however, suggest that deviant behaviour of youth could be a result of unresolved instincts and drives within the human psyche. When all of these unsettled drives are in conflict, delinquent behaviour may occur and the individual indulges in offences that are not accepted by society. These delinquent offences are more rampant in societies where rapid population growth, poverty, unemployment and underemployment of children, unavailability of housing and other support services, overcrowding in urban areas, disintegration among people of the high and low socio-economic status, and ineffective educational systems are among some of the pressures the youth is dealing with.

The intensity and severity of juvenile offences are determined by the social, economic and cultural conditions prevailing in a country

Unfortunately, Pakistan is among countries where the rate of juvenile delinquency is relatively high. The intensity and severity of juvenile offences are determined by the social, economic and cultural conditions prevailing in a country. Other than these, two largest predictors of juvenile delinquency are parenting styles and peer group association, predominantly with antisocial peer groups especially when adolescents are left unsupervised. Low socioeconomic status and poor school performance also directs a child towards delinquency. It is seen that high levels of serotonin gives an individual a difficult temper, poor self regulation and low resting rate which makes them fearless. Moreover, children with criminal siblings are more likely to be influenced by them and there is a chance that they start to follow the footsteps of the delinquent sibling.

The juvenile justice system in Pakistan deals with the crimes committed by the children and a large number of them are imprisoned. Delinquency in our country is a group phenomenon and also termed as male phenomenon because male juveniles out number females. The causes of juvenile crime are usually found at each level of the social structure, including society as a whole, social groups and organisations. Juveniles' choice of delinquent careers and the subsequent perpetuation of delinquency are fostered by a wide range of factors that should be addressed by the government and all the governing bodies. Policy makers should work towards better policies incorporated in the juvenile justice system. Preventing juvenile delinquency requires individual, group and organisational efforts aimed at keeping adolescents from indulging into various crimes and by educating the families and communities as a whole.

JUVENILE LAW: STATUS OFFENSES

Some acts are considered criminal only when minors commit them; these are called juvenile status offenses.

In juvenile cases, a "status offense" involves conduct that would not be a crime if it was committed by an adult -- in other words, the actions are considered to be a violation of the law only because of the youth's status as a minor (typically anyone under 18 years of age). Common examples of status offenses include underage drinking, skipping school, and violating a local curfew law. In an average year, approximately 20% of all juvenile arrests involve status offenses. Read on to learn what types of conduct constitute status offenses, how status offense cases are handled, and what penalties might apply to status offenses.

Types of Status Offenses The kind of conduct that might constitute a status offense varies by state. The most common status offenses include:

- truancy (skipping school)
- violating a city or county curfew
- underage possession and consumption of alcohol
- underage possession and use of tobacco
- running away, and
- ungovernability (being beyond the control of parents or guardians).

How States Handle Status Offenses Traditionally, status offenses were handled exclusively through the juvenile justice system. But in the 1960s and 1970s, many states began to view status offense violations as a warning signal that a child needed better supervision or some other type of assistance to avoid future run-ins with the law. This view is grounded in fact -- research has linked status offenses to later delinquency.

For the most part, state goals in dealing with status offenses became threefold:

- to preserve families
- to ensure public safety, and
- to prevent young people from becoming delinquent or committing crimes in the future.

In this vein, the 1974 Federal Juvenile Delinquency Act emphasized "deinstitutionalizing" status offenses. This meant giving prosecutors broad discretion to divert status offense cases away from juvenile court and toward other government agencies that could better provide services to at-risk juveniles. Diverting a case before a delinquency petition was filed also allowed a young person to avoid the delinquent label -- some believed that label itself impeded a juvenile's chances for rehabilitation.

In 1997, only one in five status offense cases were formally processed by the courts, and even fewer status offense cases actually made it to juvenile court in the first place. That's because law enforcement officers are less likely to refer status offense cases to juvenile court, compared with delinquency cases. Of those status offense cases that do get referred, 94% involve liquor law violations.

Today, most states refer to status offenders as "children or juveniles in need of supervision, services, or care." A few states designate some status offenders as "dependent" or "neglected children," and give responsibility for these young people over to state child welfare programs.

States approach status offenses in a number of different ways. In some states, a child who commits a status offense may end up in juvenile court. In other jurisdictions, the state's child welfare agency is the first to deal with the problem. Some states have increased the use of residential placement for offenders, and others emphasize community-based programs. But, in all states, if informal efforts and programs fail to remedy the problem, the young person will end up in juvenile court.

Penalties for Status Offenses For juveniles who do end up in juvenile court over a status offense, the kinds of penalties the court may impose vary from state to state. Common penalties for status offense violations include:

- suspending the juvenile's driver's license
- requiring the juvenile to pay a fine or restitution
- placing the juvenile with someone other than a parent or guardian (such as a relative, foster home, or group home), or
- ordering the juvenile to attend a counseling or education program.

If a juvenile violates a court order, most courts have the authority to order the juvenile's detention at a secure, locked facility. And, in some states, courts can require that the juvenile's parents attend counseling sessions or parenting classes.

Curfew Violations Curfew violations are the subject of some controversy. Curfew laws are established locally, by cities or counties. Typically, they prohibit young people under a certain age (usually 18) from being in a public place during certain hours (between 11 p.m. and 6 a.m., for example). Most curfew ordinances contain exceptions for things like travel to and from work or school events. For the most part, local governing bodies enact curfews with the goal of preventing juvenile crime and keeping the peace.

How curfew violations are handled -- and what penalties might be imposed -- will vary depending on the city or locality. In some jurisdictions, police bring curfew violators to a center where they must wait to be picked up by a parent or guardian. Often, the police officer is given discretion to issue a warning or simply take the minor home. Sometimes the curfew violator faces fines, mandatory community service, enrollment in after-school programs, or the loss of driver's license privileges. In extreme cases, a curfew violator might end up in juvenile hall. In some jurisdictions, parents who knowingly allow curfew violations could also be subject to fines.

Challenges have been mounted to some curfew laws on the basis that they violate juveniles' First Amendment rights to free speech and association. One recent example involved a curfew law imposed by the city of Rochester, New York. The New York Court of Appeals struck down that law as unconstitutional, but a number of other curfew ordinances have been upheld after being challenged in court.

Truancy A minor is considered truant if she or he skips school without a valid excuse and without the knowledge of a parent or guardian. States and school districts have different standards as to how many absences are required before a student will be deemed truant. In some states, the number is three per year. In others, it's as many as 18 absences.

Schools are usually the first in line to enforce truancy laws and even have the authority to refer truancy cases to juvenile court when necessary. Police officers have the legal power to detain truant children who are outside of school grounds. Many states also hold parents accountable for their children's truancy, imposing fines or even jail time on parents who fail to ensure sure that their children are in school.

Truancy accounts for the majority of status offense cases in the juvenile system, and studies have show a strong link between truancy and future delinquency, not to mention difficulty in school. For this reason, many states, counties, and schools have begun to crack down on truancy.

POLICE OFFICER'S ROLES IN THE JUVENILE JUSTICE SYSTEM

Court Referrals

Police officers generally bring in or summon young offenders to the police department's juvenile division and question, fingerprint, book and, if necessary, detain them. At the time of an arrest, officers decide whether to refer young offenders to juvenile court or to route these cases out of the justice system. Police account for most referrals to juvenile court. According to the U.S. Justice Department, 83 percent of court referrals came from law enforcement agents in 2009. Parents, schools, crime victims and probation officers made the remaining referrals. In the same year, police departments handled and released 22 percent of all juveniles arrested. By contrast, the police referred 70 percent of all young offenders to juvenile court. Under federal law, officers who detain young offenders must keep them secure while in custody and for a period of no more than six hours. Juvenile arrest procedures differ across police departments. .

Status Offenses

Police officers handle noncriminal behavior -- known as status offenses -- involving juveniles. Skipping school, running away from home and violating curfews are status offenses. Police also intervene in non-delinquent cases in which youngsters are reported missing or believed to have been abused or neglected. Officers investigate these situations by interviewing the alleged victims, their parents or guardians, school officials and others associated with the victims. Police departments often have crime units dedicated to juvenile matters.

Protective Service

Police are charged with protecting the public from crime and general mayhem. For juveniles, police protection might call for removing children from an abusive home or transporting them to a shelter or hospital if they've been abandoned. Officers are usually the first on the scene when a child is left home alone, locked inside a car during extreme hot or cold weather conditions or not strapped into a car seat as required for infants or toddlers. In some districts,

police patrol the halls of public schools, especially in high-crime areas, to deter disturbances that put youngsters at risk of becoming either victims or violators.

Education

Police officers sometimes partner with education officials and teachers to deter criminal behavior among youngsters. Officers visit classrooms as invited guests to warn students about the consequences of taking and selling drugs, as well as talking to or walking away with strangers who might want to harm them.

Arrest Alternatives

Arrest and detention aren't the only choices police offer juvenile offenders. Sometimes police bring young offenders in for questioning, give them a warning and release them to a parent or guardian. In other cases, police place a juvenile under police supervision for a period of time. Officers occasionally refer juveniles to a Big Brothers/Big Sisters program, a youth services bureau, a mental health facility or a social service agency for runaways. When officers refer young offenders to juvenile court, probation officers take over these cases.

Training

Community leaders in some states recognize that police officers need training to work with a growing population of juvenile offenders. The International Association of Chiefs of Police survey, "2011 Juvenile Justice Training Needs Assessment," shows that police chiefs generally want officers to learn the skills needed to work more effectively with young offenders, but often lack the funds and resources for training. The survey cites the top five areas in which police need training as substance abuse; bullying, including cyber-bullying; gang activity; sexual, physical and emotional abuse; and chronic criminal behavior. The survey also cited training in school safety, Internet offenses and handling runaways as a need for police officers.

POLICE ROLE IN JUVINILE DELINQUENCY

Australian Criminology

Read: file:///C:/Users/USER/Downloads/training-project-proceedings-8.1.pdf

Criminal Justice System In Pakistan

Read: file:///C:/Users/USER/Downloads/22.pdf

Reforming Pakistan's Criminal Justice System

Read: file:///C:/Users/USER/Downloads/4d00dee42.pdf

CODE OF CRIMINAL PROCEDURE ACT 1898

Code of Criminal Procedure 1898

It is commonly known as Cr.P.C. and it is the most comprehensive statute on proceedings of criminal courts in Pakistan. Code of Criminal Procedure Contains all the procedures and provisions which are necessary to regulate the working of Criminal Law Courts in Country. It is not possible to define this comprehensive law in some lines and its every section requires proper explanation. In nutshell all Criminal Courts works under this act and it has central position in the Pakistan law system.

Code of Criminal Procedure is very comprehensive law with hundreds of section and lengthy schedules at the end of code. Its schedules are also very important because they provides the guidelines for the courts as well as for lawyers. For some people this law is out-dated and very old and must be replaced with some modern legislation according to needs of modern society. This criticism is on sold grounds because Britishers made that law in order to govern the colonial subject and today everything is changed hence the law also needs reform.

Here you can download the Code of Criminal Procedure 1898 Pakistan in PDF Format. It is up to date with latest amendments and you can download it by clicking the link below;

Criminal Justice System in Pakistan Criminal Justice System is one of the most important ingredients of any society of the world. Criminal Justice System describes the offences, punishments, procedures and ways to punish those who break laws of the society. It is the Criminal Justice System which creates deterrence in society. Without effective Criminal Justice System, a society or country cannot survive for long. In today's modern world the Criminal Justice System comprises of three main institutions i.e. Police, Prosecution and Judiciary. In almost all countries of the world, the system consists of these three main institutions although their names may vary from country to country.

Criminal Justice System in Pakistan also comprises of three basic institutions i.e. Police, Prosecution and Judiciary. Before 2007, there were only two institutions in Criminal Justice System i.e. Police and Judiciary and there was no concept of independent Prosecution Department in Pakistan. It was only after 2007 when all Provinces established independent and specialized Prosecution Departments. Due to its short life and other reasons, Prosecution is still not independent and fully functional in Pakistan's Criminal Justice System.

Problems in Pakistan's Criminal Justice System The Criminal Justice System in Pakistan is outdated and in dismal condition. There are many reasons for this which I will explain later in this essay. The system in Pakistan is so much ineffective and outdated that it is very easy for any influential and wealthy person to get himself acquitted after committing any sort of offence. There are so many loopholes in Pakistan's Criminal Justice System that it becomes very easy for any offender to got clean chit from courts. For this reason the system also lost the confidence of people, especially educated strata of society who always try to resolve their disputes outside the Criminal Justice System.

In following lines I will explain the basic problems associated with the Criminal Justice System of Pakistan. As I mentioned earlier that it consists of three departments/institutions, so I will explain the problems in all three departments one by one.

Police in Pakistan's Criminal Justice System Criminal Justice System starts with the Police or Investigating agency in almost all civilized societies of the world. In Pakistan it also starts with the investigation of Police. The basic root cause of failure of Pakistan's Criminal Justice System lies with the Police. Police in Pakistan is the most corrupt institution of the country

and corruption in Pakistan Police is beyond imaginations. Although basic purpose of Police Force is to protect the citizen but in Pakistan an ordinary citizen not only hates Police but always try to avoid the Police and all matters related with Police. Police Station is not a place for gentleman and every gentleman in Pakistan is afraid of going to Police Station even to register his genuine complaint.

Criminal Justice System comes into motion with investigation of Police and in Pakistan it is the very stage when most of cases are destroyed due to non-professional and corrupt investigation Officers. Any influential and wealthy accused can easily get the clean chit from police during investigation. When the case is so strong even then the accused can easily bribe the Investigation Officer and destroy the evidence which ultimately results in acquittal of accused in courts.

Unfortunately there is no distinction of Policing and Investigation in Pakistan. There is no specialized unit or force within police who is trained in investigation. It means in Pakistan even the cases of homicide are regularly being investigated by the low ranked, non-professional, non-trained, low-paid and corrupt police officers. As a result, the case is being destroyed at the beginning by the IO or Investigating Officer.

Prosecution in Pakistan Criminal Justice System As I mentioned earlier the Separate and Independent Prosecution Departments are established after 2006/07 in different provinces of Pakistan. Previously there was separate branch in Police known as Prosecution Branch and that Branch was responsible for the prosecution on behalf of state. Although Provincial Governments established Prosecution Departments but they are toothless and have no powers in practice. Provincial Governments in Pakistan's provinces so far fail to provide Prosecution with adequate resources and essential legislation which is essential for the working of modern day Criminal Justice System.

Prosecutor is powerless in Pakistan who is sandwiched between the two most powerful, authoritative and corrupt institutions of Pakistan i.e. Police and Judiciary. Prosecutor cannot direct Investigation Officer to properly collect the evidence during investigation, he is only authorized to scrutinize the investigation report after its completion and till that time, IO's almost destroyed all important pieces of evidence. A Prosecutor can even not direct the Police Investigator to apply the correct section of law during investigation. Further even in case of no evidence, Prosecutor has no power to return the case back to police or drop the case but he has to forward it to the Magistrate after recording his opinion (that opinion is also worthless because it is not binding on court). Hence in practice Prosecutor in Pakistan only works as postman between Police and Judiciary.

The condition of Prosecution Departments is so disappointing that at most of the stations they don't have their proper offices to work. So without any resources, proper legislation, government attention and spirit to work, the Prosecution Departments are only rubber stamps in Pakistan.

Judiciary in Pakistan Criminal Justice System Although Government invested lot of money and resources in the Judiciary in last decade yet the institution is in bad shape and fails to deliver. In Criminal Justice System of Pakistan, judges are highly paid and have more resources than Police and Prosecution but their performance is disappointed. The acquittal rate is Pakistan's courts is almost over 80 percent which means if person commits crime in Pakistan he got 80 percent chances of acquittal in this system. Another major problem is the delayed justice as criminal cases are decided not in months but in years in Pakistani Courts.

There are many reasons for inefficiency of Courts in Pakistan's Criminal Justice System. First of all the case is being destroyed by the Police Investigator at investigation stage which means it always lacks the required level of evidence which is necessary for the conviction. In

Pakistan, Lawyer Bar Councils are very powerful and influential bodies who virtually dictate their terms on courts and if lawyer want to prolong a case for months or even years, judge cannot stop him. This is also the main cause of delay in decision of cases. There is also rampant corruption in judiciary and a wealthy person can easily get clean chit from the courts with different tactics. Due to increasing perks and privileges in judiciary the levels of corruption are decreased in last one decade but there is still lot of room for the improvement.

Overall the Criminal Justice System in Pakistan is losing confidence of people due to its inefficiency. Government needs to pay special attention towards the Criminal Justice System in Pakistan because a country can live without resources but cannot survive when it lacks justice.

Reference : Mr. Jibran Jamshed

TABLE OF CONTENTS

SECTION III

1. Criminal Investigation In Pakistan
2. Principal & Practice Of Criminal Investigation In Pakistan By Sanah Ashraf
3. European Investigations / FBT ETC
4. INTERPOL
5. IPA
6. UNICEF
7. UNAFEI
8. UNODC
9. EUROPOL
10. TERRORISM
11. War on Terror
12. Human Rights Abuses & Prevention
13. Cyber Crime
14. Money Laundering

CRIMINAL INVESTIGATION IN PAKISTAN

BY IMDAD HUSSAIN SAHITO

INTRODUCTION Crime is world phenomena and with course of time it is going to be a complicated one. All over the world especially in technically developed countries, criminologists, detectives are adopting new methods to beat the crime through latest criminal investigation techniques. But in the country like Pakistan the sources of criminal investigation are mostly the same as were in the past.

In this research an effort has been made to understand the historical perspective of criminal investigation in this part of the world. What are the modern facilities to carry out the investigation? What pattern, what trends and reality is prevailing at our police to conduct the criminal investigation. A study has been made stations focus on it. Facts and figures have also been given to examine it. The suggestions are also given to strengthen the proper investigation to trap the criminals. This research work is qualitative as well quantitative. Primary as well as secondary sources of research have been used to complete it.

DEFINITION OF CRIMINAL INVESTIGATION:

Before understanding the criminal investigation in Pakistan, it is important to go through its definition. There are so many definitions of criminal investigation including the following:
"A lawful search for people and things to reconstruct the circumstances of an illegal act, apprehend or determine the guilty party, and aid in the states prosecution of the offender"(1)

“The collection of information and evidence for identifying, apprehending, and convicting suspected offenders (2)”.
In an other definition is said that
" Investigation" is a word confined to proceedings of Magistrates, and that "Inquiry" is the word appropriate to the proceedings of Magistrates prior to trial (3).
Now if criminal investigation is being concluded the result would come out to ask the questions as given below:
Who, What, Where, When, Why & How

PRINCIPLE AND PRACTICE OF CRIMINAL INVESTIGATION IN PAKISTAN

Written by **SANAH ASHRAF** Assistant District Public Prosecutor, Nankana Sahib

Investigation is the backbone of every Criminal Justice system. Prosecution is responsible to prove guilt of accused beyond reasonable doubt and accused is presumed to be innocent and cannot be convicted in absence of trustworthy, confidence inspiring evidence. This high standard of proof can only be achieved if evidence is properly collected, secured and documented at stage of investigation so that it can later on be produced in court to prove charges against accused. Its importance can be estimated from the fact that any evidence either not collected by investigating officer or not collected in accordance with the prescribed law and rules can directly affect the result of litigation. Courts in any Criminal Justice system are not involved in collecting evidence, its exclusive domain of investigating officer. Functions of court are to draw inference from evidence and then conclude either an offence has been committed or to give judgment that a particular person is not guilty.

WHAT IS INVESTIGATION:

In legal terms **investigation includes all the proceedings for the collection of evidence conducted by a police officer or by any person who is authorized by a Magistrate i**n this behalf.

A good investigation is a rigorous process that consist of identification, collection, preservation and presentation of evidence in court of Law.

Investigation means scrutiny, search or an inquiry into a matter to find out truth, to know about facts or solve crime.

Investigation is,--

A multidisciplinary approach.

Involves systematic and logical thinking.

Requires minutes and detailed inspection.

Includes observation, examination and fact finding inquiry of witnesses.

A rigorous process based on evidence.

Code of Criminal Procedure draws distinction between investigation and Inquiry.

Section 4(l) of Code of Criminal Procedure defines Investigation as following:-

"Investigation includes all the proceedings under this code for the collection of evidence conducted by a police officer who is authorized by a Magistrate in this behalf."

Whereas,--

Section 4(k) states as under:-

"Inquiry includes every inquiry other than a trial conducted under this Code by a Magistrate or Court."

Cr.P.C. limits the scope of investigation only to collection of evidence; an investigating officer is confined only to collect evidence without formulating any opinion as to guilt or innocence of accused.

Another important aspect is authorization. A person cannot assume role of investigator. Investigation can only be done by a police officer or a person authorized by a Magistrate.

Evidence means "anything that tends to prove or disprove anything".

In strict sense of Qanun-e-Shahdat Order 1984, evidence includes:-

All statement which the court permits or requires to be made before it by witness in relation to matters of fact under inquiry; such statements are called Oral Evidence

All documents produced for the inspection of the court, such documents are called Documentary Evidence.

In Pakistan investigation of offences under Pakistan Penal Code 1898 is conducted under Part V, chapter XIV of code of Criminal procedure 1898 and police Rules 1934.

In case of offences created under special Laws, there is separate law that regulates procedures of investigation eg, anti- corruption and anti terrorism court, Federal Investigation Agency etc.

Investigation begins with a response to a reported incident i. e; lodging of FIR u/s 154 Cr.P.C, and ends when it is closed either with the assessment that there is no sound evidence that the crime was committed (cancellation report) or with the submission of one or more reports describing what was done(submission of challan in Court through prosecutor).

GOALS OF INVESTIGATION:

1. To recognize evidence. This is done by a detailed survey and research of crime scene. Everything that is present on a crime scene may or may not have a probative value; an investigator must be able to recognize what evidence can be helpful and what should be collected.

2. To Collect Evidence. Most of the crime scene involves massive physical evidence that can be collected by the investigator to be later produced in court i-e, empty cartridges, DNA, finger prints and other trace evidence etc.

Evidence must be labeled properly describing FIR No. No, nature/type of evidence, position and place of its collection, time date and name of witness in whose presence such evidence was collected.

3. Preservation of Evidence. It is as essential as collection of evidence because if integrity of evidence is compromised it cannot be made basis for conviction of accused. To achieve this goal chain of custody must be maintained.

Chain of custody is described as chronological log of handling of evidence from place of seizure/collection to its presentation in the court of law. It implies principle that there should be no unauthorized handling of evidence at any stage.

4. Documentation of crime and other proceedings. Recording of statement of eye witnesses must be done at crime scene and witness must be separated before recording their statement eliminating possibility of fabrication.

Crime sketch that can be scaled or unscaled. But it must show North, important landmarks, presence of accused and witnesses if any. Modern techniques involve crime scene photography at different range, angle and even video graphy can be done. First inspection note. Preparation of inquest report, injuiry statement in cases of murder.

POWERS OF POLICE OFFICERS UNDER CODE OF CRIMINAL PROCEDURE REGARDING INVESTIGATION

1. Under sec. 156 of the code of Criminal procedure 1898, a police officer is authorized to conduct investigation in cognizable cases without order of the Magistrate,

2. A police officer may by order in writing require the attendance of any person who from information given or otherwise appears to be acquainted with the circumstances of the case u/s 160 Cr.P.C.

3. Under Section 161 Cr.P.C. a police officer may examine orally any person supposed to be acquainted with the facts and circumstances of the case

4. Police officer shall day by day enter his proceedings in investigation diary u/s 172 Cr.P.C.

DEFECTS IN INVESTIGATION CARRIED OUT IN PAKISTAN:

Unfortunately investigation in Pakistan is not conducted properly and thoroughly and is responsible for collapse in Criminal Justice system. Integrity of investigation is very critical for admissibility of evidence in court of law. Major defects in Criminal investigation in Pakistan are:

1. Lack of proper knowledge of prescribed procedures to conduct investigation

   Investigation is a failure in our country due to lack of knowledge, proper training and development of skills. Common examples of lack of knowledge and skills that results in failure of investigation are:

   1. Lack of knowledge of different provisions of law especially when offence falls under different jurisdictions e.g. provision of Anti-terrorism Act, or provisions of sec. 5(2) of Prevention of Corruption Act 1947.
   2. Lack of knowledge as to offense falls under what jurisdiction and which agency shall hold investigation.
   3. Lack of knowledge of proper procedure e.g., procedure for proclamation of accused and seizure of property.
   4. Lack of training to collect biological and other evidence at crime scene and due to improper collection important evidence at crime scene is contaminated before it reaches labortary for analysis and consequently important evidence is either lost or compromised at crime scene.

2. Lack of Professionalism: A major reason for failure of our Justice system is lack of professionalism and irresponsible attitude towards Criminal investigation. Procedures are not followed and adherence to standards is not in existence. Investigation process is influenced by media, political pressure and corrupt practices. Investigators mostly hold panchayats instead of collecting evidence to support charge or establish guilt. Similarly, opinions as to innocence or guilt are given by police officer without reasoning and in absence of evidence. They do not verify alibi of accused if claimed and usually give opinion on basis of suspicion without realizing the fact that determining the guilt or innocence is the duty of the court and investigation is only confined to collection of evidence.

3. Biased Investigation, Lack of Impartiality: Impartiality means decisions must be based on sound reasoning and without any undue influence or favor to anyone. It is an ability of a person to formulate his decision on the basis of facts and without being prejudiced. Preconceived notions, conjectures, suppositions, presumptions and suspicion are different forms of prejidice.There should be no personal belief or intuition or a judgment not founded on proof or certainty.

Prejudice or bias can seriously effect results of investigation. Various elements can affect impartiality of an investigator. Bias can take various forms e.g., religious bias, racial

discrimination, gender, ethnicity, sect, class or caste, all can influence investigation. However there is a distinction between holding a bias and acting as bias.

4. Role of Logic, Good Observation and Good Judgment: Every crime is unique. There is no universal formula to investigate a case. A good investigation requires proper planning. it is a team work that cannot be done in isolation. Composition of team depends on nature of crime.

Crime scene is a scene of incident irrespective of the whether a Criminal or illegal action has been established. When arriving at crime scene an officer must determine what offence has been committed and what level of investigation he is required to conduct. It is common that investigating officers do not apply their own reasoning and are only confined to story narrated to them by witness. Even in that case they even do not bother to corroborate their testimony, verify presence of witness at the spot and collect other circumstantial evidence, usually police officers acts in mechanical way by recording FIR, statement of witness, drawing rough sketch, making or planting recovery and then submission of challan. Have they collected evidence properly from crime scene, it can help prosecution to prove their case. It could also be kept in mind that there is tendency in our country to rope falsely all family members of the accused.

5. Integrity: Twisting of facts is not very uncommon. It happens in almost in every case. Facts are twisted by parties in order to either involve innocent or to destroy evidence. In unseen murder case usually witness are planted, in dacoity cases usually identification parade are not held, instead this requirement of law is fulfilled by insertion of supplementary statement that never discloses source of information. Observations made are not brought on record. Confession are not recorded before Magistrate and police confession forms part of police diary which is neither admissible nor can secure conviction.

Injured victim dying declaration is not recorded, or if recorded no independent person is cited in whose presence such dying declaration is recorded. Similarly statement of injured witness is recorded without making enquiry from doctor regarding whether such injured is in position to make statement or not.

These are all issues that have impact on integrity of evidence collected and produced during trial. How a court can convict a person when there is no evidence or there is evidence which is tainted.

6. Improper Documentation: The gravest defect of our investigation is improper and inadequate documentation. Court can formulate opinion only on basis of those facts that are relevant and are brought on record. If statement of an important witness is not reduced to writing by a police officer, how court can determine facts that were witnessed by a witness which is not included in the calendar of witnesses by police officer during submission of challan.

Similarly omission on part of the police officer to mention the description of crime scene, position of body and articles found on crime scene can seriously destroy prosecution case.

Usually police officers do not take into possession crime empties and thus prosecution is deprived of opportunity to prove an important piece of evidence that can establish link between crime, victim and suspect.

7. Chain Of Custody: It means documentation of evidence from time to time when it was taken into possession describing time, place or condition, or brief description of item and name of persons/witnesses in whose presence such articles were taken into possession to its production in laboratory/agency or court. It also signifies that there should be no unauthorized handling of evidence.

It is very common that proper chain of custody is not maintained and report of expert i-e, ballistic expert, chemical examiner, serologist become inconsequential which results not only in damage to prosecution case but also amounts to wastage of time and money consumed in obtaining expert opinion.

8. Delay: Delay which is unnecessary has fatal impact on fate of Criminal case. Delay on part of police in sending corpse for postmortem examination, delay in recording statement of witness, delay in holding identification parade, delay in sending parcels to laboratory for expert opinion are all considered fatal to prosecution case and this delay is caused by negligence of police.

REMEDIES: Following measures can be taken to rectify the above defects:-

1. *Reorganization of investigation wing:*

   An investigator should be authorized to investigate the case on basis of his qualification, experience and training. For major offences like murder, rape, forgery/fraud, electronic crimes, kidnapping investigator should have relevant expertise to investigate that crime.

   An investigator who have never conducted investigation in forgery should not be allowed to investigate that offence instead of this he should be assigned task according to his expertise and interest and knowledge.

2. *Development of investigation protocols:*

   It is very important to develop various protocols in shape of guidelines and instructions or standard procedures that must be followed in investigation of different offences.For example an investigation of a murder case should include more than just formality of injury statement and inquest report and conducting postmortem. various steps of investigation must be described and there should be a clear policy statement regarding procedure and proceedings of investigation.

   Police trainings must be carried out in letter and spirite rather than being conducted as formality

3. *Development of professional attitude:*

   Police officer should develop professional attitude. Government and our media also plays vital role. Both government and media should stop exploitation and should not interfere with process of investigation. Media should be briefied only when investigation has been completed. Political parties should not dictate police officers rather they should be allowed to proceed with investigation without being influenced. Illegal practices of holding panchayats, formulating opinions of investigation on basis of oath, and deciding cases in police station must be stopped. It is duty of police to collect evidence without compromising its integrity and it is duty of court to determine guilt or innocence on basis of evidence. An investigator is not party to Criminal case. He must be impartial.

   We cannot correct police until we provide hosnest police officers privilege of not being dimissed on frivilous grounds and stop safarish and baradari system we are facing two problem one is we promote baradari culture by giving 4.undue favors and second honest persons are threatened Of being dismissed from service.

4. *Independence of investigation wing*

   Investigation wing of police must be independent. There should be no interference at level of investigation. It offen happens that media causes exploitation of cases and this causes undue harrasment and biased investigation. Similarly political

pressure groups must not be allowed to approach the officials.Another important aspect in this respect is frivolous registration of cases must be strongly discouraged

5. *Punishment of investigator for corrupt practices:*

   Investigators who are properly trained and skilled in investigation if destroy evidence or temper it, they must be punished exemplary to have deterrent effects. However it must be kept in mind before punishing an investigator that whether he had willfully caused destruction of evidence or not because parties may often lodge frivolous complaints against police officers and gross negligence are sometimes remains unchecked. There must be clear and logical criteria for punishment.

6. *Proper Training & Continuous Professional Development*:

   Due to rapid development of technology, investigators must be provided with training and continuous development. Incentive should be given on basis of merits otherwise they shall further deteriorate the existing system.

CONCLUSION

To conclude, police investigation in Pakistan is not conducted properly due to which our Criminal Justice system has become ineffective. Investigations must be provided specific training to investigate different crimes. Investigation in Pakistan can never yield best results unless investigators develop an impartial professional attitude and investigate case on basis of what facts are actually rather than twisting with facts to produce desired results.

From practical view point, if we make a detailed analysis; one may observe that we ourselves have destroyed the system. Our ego, show off and abuse of power, majboori (need), and baradari system have rotten the whole system from top to bottom and no one is ready to accept his mistake and rectify himself. People enter in service just to secure their career and remains mum during performance of duties to save their service. Those who dare to perform their duties are dealt with iron hands.

EUROPEAN INVESTIGATIONS

They are increasing cross-border mobility means that many homicide and serious crime investigations involve enquiries in one or more countries. To work with European partners and support an investigation, officers need to understand the policing and legal systems in other countries.

Officers may become involved in such investigations in a number of ways, for example:

- an investigation into one or more incidents committed in the UK which involve a victim
  and/or offender located abroad, or may be linked to other crimes committed abroad
- a UK citizen becoming the victim of serious crime while abroad
- a request received for information or assistance from investigators in another country.

Investigators may also be involved in working to support the extradition of a suspect.

SUSPECT EXTRADITION

ACPO (2012) Practice Advice on European Cross-Border Investigations, section 18 Extradition

Extradition is the formal procedure for returning persons located in one country to another, for one of the following reasons only:

- prosecution
- to be sentenced for offences for which they have been convicted
- to carry out a sentence that has already been imposed.

The extradition of a person to the UK is called import extradition or outgoing request. The extradition of a person from the UK is called export extradition or incoming request. An extradition request cannot be made for securing the return of a person for questioning. Within the EU, the European arrest warrant provides an efficient and streamlined extradition system.

UK PROSECUTIONS

Investigators may liaise with foreign law enforcement agencies (LEAs) in order to gather information, intelligence and evidence to support a UK prosecution of a foreign national. Those involved include:

- International Liaison Officer (ILO)
- Crown Prosecution Service (CPS)
- SIO
- National Police Coordination Centre (NPoCC)
- NCA liaison officers
- INTERPOL
- Europol
- ACPO criminal records office (ACRO).

Gathering information and intelligence The process for requesting information or intelligence from a foreign LEA is known as police-to-police enquiries.

Evidence collection Mutual legal assistance is the formal way in which countries request and provide assistance to obtain evidence. The request is made through a letter rogatory (commission rogatoire) or letter of request (also referred to as an international letter of request).

ILO The ILO acts as a central point of contact and conduit for all incoming and outgoing international enquiries. In most forces the ILO is located in the force intelligence unit or equivalent HQ department and may only be available during normal office hours. For assistance outside office hours, investigators should contact the National Crime Agency (NCA) international desk.

Working with the ILO Investigators should consider the following:

- Approach the ILO as early as possible to explain and discuss requirements.
- Be willing to listen to alternative and possibly more effective ideas.
- Ensure that all reports going abroad are free of police jargon and written in plain English.
- If enquiries are urgent, make sure that the ILO fully understands why.
- Complete all parts of all forms submitted to the ILO as accurately as possible, making sure that any 5x5x5 grading is carefully completed to prevent requests being rejected or returned. For further detail see dissemination of intelligence.

- Understand that what may appear 'normal' in an investigation based in England, Wales or Northern Ireland may not necessarily be normal practice in another state. A short explanation may be required.
- Understand that it may not be possible for the ILO to say how long a request will take to action. Some states are inundated with requests on a daily basis and investigators must be patient.
- **Do not submit all requests as urgent.** Doing so may place significant pressure on a requested state as not all EU member states have the same policing structure as England, Wales or Northern Ireland.

INTERNATIONAL ENQUIRIES

ACPO (2012) Practice Advice on European Cross-Border Investigations, section 2 International Liaison Officers

The ILO will provide advice and guidance on conducting international enquiries, and act as the force central contact point for NCA, Europol and INTERPOL. In addition, they should:

- work with investigators to understand expectations and realities when conducting international investigations or enquiries
- request conviction histories for all prisoners
- disseminate relevant material and guidance throughout the force
- identify specific crime scene marks and liaise with foreign law enforcement agencies to establish identification
- identify details relating to wanted and missing persons
- carry out proactive enquiries in line with force priorities and developing issues
- liaise with divisional intelligence teams to help identify future concerns
- continually review their role to monitor further positive interaction with internal departments and outside agencies
- assist with missing persons enquiries with an international link
- assist with the completion of risk assessments
- on occasion work with foreign law enforcement community officers who may be able to pass on urgent disseminations to their country when the NCA/INTERPOL channels may not be swift enough. These are police and customs officers posted to the various embassies in the UK and are an invaluable source of support and assistance.

CPS The CPS is a designated prosecuting authority under the Crime (International Co-operation) Act 2003 (CICA). Every case the CPS deals with is allocated to a reviewing lawyer who is responsible for all aspects of the file, including the issue of letters of request (LOR) and extradition requests.

Early consultation with the CPS is required due to the timescales involved in producing the LOR, particularly in cases where arrest warrants are involved.

Note: some European countries may be very specific on the way information is requested. The Netherlands, for example, has strict privacy laws which subsequently mean that they require an LOR for almost any request for personal data. Investigators should provide the CPS with robust reasons why an LOR is needed.

Contact details for CPS regional offices can be found on the CPS website.

Note: Northern Ireland has a separate Public Prosecution Service.

SIO In the UK SIOs manage investigations from start to finish, including issues relating to international media interest, foreign victims, foreign family members and cooperation with international and domestic LEAs.

SIOs must, however, respect the intentions and processes in other foreign states and within all LEAs. They must always contact the foreign LEA via the ILO and NCA international. Direct contact may undermine effective working relationships, and in some cases be contrary to local laws.

Where an investigation attracts the attention of national or foreign media, input from senior police staff or a more intensive response may be necessary on a regional or national basis.

National Police Coordination Centre

In a complex investigation requiring a nationally coordinated response, the senior officer in charge should consider liaising with NPoCC as soon as possible.

NPoCC can advise on national policing responses and provide access to the ACPO president, who will be able to arrange any multi-agency involvement where necessary.

NCA liaison officers

NCA liaison officers are located in key locations around the world to help support the investigation of serious and organised crime which crosses international borders. The force ILO can contact NCA international to obtain advice on how to contact NCA liaison officers.

The role of the SLO is to generate and develop relationships with overseas law enforcement agencies in the state in which they are based. They are tasked by the NCA intervention planning teams to help with post-arrest plans. In certain circumstances, they may also be willing to assist with the transfer of police-to-police requests by providing local advice, establishing an appropriate point of contact and facilitating cooperation.

Their main responsibilities include:

- collecting and reporting intelligence from overseas sources for the knowledge requirements of NCA
- planning and executing intervention activity overseas in support of NCA's tasked operations
- supporting the business interests of other relevant NCA departments including enforcement, covert human intelligence source, proceeds of crime, and technical collection, within an overall programme that balances these interests with the primary goals of collecting knowledge and supporting tasked operations
- operating a management and control system set out by the intervention planning teams in England, Wales or Northern Ireland
- developing and sustaining an effective operational capability overseas.

INTERPOL With 190 member countries, INTERPOL is the world's largest international police organisation. It facilitates cross-border police cooperation, and supports and assists all agencies, authorities and services whose mission is to prevent or combat crime. It has identified four core functions on which it concentrates its efforts and resources.

- Secure global police communications services – I-24/7 enables authorised law enforcement users in all of its member countries to request, submit and access

critical police data instantly in a secure environment. Foreign nationals brought into custody should be processed through I-24/7 to identify those suspects who may be wanted by foreign states. Unless they are known to be in the UK, there will be no entry on the PNC.

- Operational data services and databases for the police – INTERPOL maintains databases covering key data such as names of suspected terrorists, child sexual exploitation images, fingerprints, DNA profiles, stolen or lost identification and travel documents, and wanted persons.
- Operational police support services – INTERPOL focuses resources on six priority crime areas: corruption, drugs and organised crime, financial and hi-tech crime, fugitives, public safety and terrorism, and trafficking in human beings.
- Police training and development – specialist police training initiatives for national police forces, and on-demand advice, guidance and support in building dedicated crime-fighting components are provided to help member countries combat serious transnational crime and terrorism. This includes sharing knowledge, skills and best practice in policing, and the establishment of global standards for combating specific crimes.

Europol This is the EU law enforcement organisation that handles criminal intelligence. Its aim is to improve the effectiveness and cooperation between the competent authorities of the member states in preventing and combating serious international crime and terrorism.

Europol‘s mission is to make a significant contribution to EU law enforcement action against organised crime and terrorism, with an emphasis on targeting criminal organisations. To support this Europol hosts the Europol information system (EIS).

Each member state has a European national unit (ENU), usually situated in the headquarters of the national law enforcement agency. The UK ENU is NCA international, and it supports the UK Europol liaison officers. It is through these units and agencies that all intelligence between the UK and Europol flows. For further information see NCA working in partnership worldwide.

EUROPOL INFORMATION SYSTEM The Europol Information System (EIS) is hosted at Europol’s HQ in the Hague. It is available to LEAs within the EU.

The main objective of the EIS is to support Europol and EU member states to fight terrorism, drug trafficking and other forms of serious cross-border organised crime. The EIS provides the facility for storing, searching, analysing and displaying information related to transnational crimes, allowing law enforcement agencies across Europe to collaborate efficiently in their investigations.

The system supports automatic detection of possible hits between different investigations and facilitates the sharing of sensitive information in a secure and reliable way. The data entered onto the EIS remains under the full control of the owning member state. Another member state or Europol cannot alter it in any way.

Every search result can only be disseminated and/or used in compliance with the handling codes, to ensure that the processing of information is carried out in line with the wishes and legal framework of the owners of the information. The UK can, and does, restrict the access to its data where there is an operational requirement or other sensitivity.

ACRO The ACPO Criminal Records Office (ACRO) offers a number of services to police officers and staff when investigating foreign nationals.

ACRO's international portfolio is dedicated to exchanging criminal conviction information between the UK and other countries within the European Union (EU) and around the world. Criminal conviction exchange between EU member states is governed by an EU framework agreement. ACRO acts as the UK Central Authority for this exchange and supports UK law enforcement by:

- submitting requests to obtain extracts from EU criminal registers for a person who is being investigated, arrested or managed by UK police forces and authorised agencies. Requests can also be made for victims and witnesses.
- receiving notifications of convictions handed down against UK nationals in other EU member states and updating UK registers, including the PNC, with such convictions.
- notifying relevant member states of any convictions (and updates to previous convictions) imposed in the UK on a national from that EU member state.

Criminal conviction exchange with countries outside the EU is conducted using the INTERPOL channels of communication (I-24/7). ACRO conducts this exchange and supports UK law enforcement by:

- submitting requests to check for criminal convictions in countries outside the EU for persons subject to various proceedings in the UK, mainly criminal proceedings. Requests can also be made for victims and witnesses.
- receiving notifications of convictions handed down against UK nationals in a limited number of countries and updating UK registers, including the PNC, with such convictions.
- notifying relevant countries of any convictions (and updates to previous convictions) imposed in the UK on a national from that country.

Police officers and police staff are advised to make a request via ACRO for foreign conviction checks in all cases where the suspect, defendant, victim or witness is a foreign national. The ACRO International Criminal Conviction Exchange Request form should be completed and submitted either to international.requests@acro.pnn.police.uk or via a force international liaison officer/team – in accordance with local force procedures.

For further information on the process of submitting a request, the specific data requirements for each country and a full list of FAQs, visit the International Criminal Conviction Exchange community on the Police Online Knowledge Area (POLKA). This link is available to authorised users who are logged on to POLKA.

Where appropriate and possible, ACRO matches the conviction data of UK nationals who have offended overseas to equivalent, recordable offences in England and Wales and updates the PNC accordingly. If a link to Scotland or Northern Ireland is identified, the information is disseminated to the appropriate agencies.

Conviction information for non-UK nationals received as the result of an outbound request to an EU member state can be used only for the purposes for which it was requested. This stipulation prevents the PNC from being updated, unless the conviction represents an immediate and serious threat to public security. Offences which fulfil these criteria are included in a list of offences known as the Home Office Serious Offence List. These offences are added to the PNC by ACRO.

Under section 103 of the Criminal Justice Act 2003, all convictions held overseas have the same relevance, in relation to evidence of bad character, as those committed in England, Wales and Northern Ireland. Officers should liaise with the CPS at the earliest opportunity if foreign previous convictions are to be used in criminal proceedings, to ensure that relevant documentation is obtained.

Police-to-police enquiries Enquiries may relate to tracing vehicles, suspects, victims or witnesses, or to checking bank account details. In all cases investigators must first contact the force ILO for advice and assistance.

Police-to-police enquiries can be a useful research tool for a mutual legal assistance request.

All police-to-police enquiries should be submitted on an INTERPOL enquiry form (NCA form 1) via the ILO to NCA international. NCA form C (risk assessment) should also be completed and forwarded to the ILO for onward transmission. Some forces, however, may have existing agreements in place via other channels.

The Swedish initiative sets out the rules for cross-border exchanges of criminal information and intelligence. Under this initiative, there are strict time limits and conditions that competent law enforcement authorities, including the police, must adhere to when they receive a request for information and intelligence.

Authorities Some intelligence can be submitted to Europe without an inspector's authority. If the intelligence has a handling code of '1', it can be sent to any EU or European economic area country.

A risk assessment authorised by an inspector is required for intelligence disseminations involving sex offenders or areas of risk. Outside Europe, all enquiries require a risk assessment authorised by a superintendent.

When gathering information, intelligence and evidence, investigators need to be aware of data protection issues. They may also be required to travel abroad in connection with an investigation.

Data protection Data protection rules vary across Europe. However, the Council Framework Decision 2008/977/JHA on the protection of personal data processed via police and judicial cooperation on criminal matters provides a minimum appropriate standard of data protection where personal data is exchanged between EU member state LEAs.

Investigators need to understand that several EU agreements have their own data protection rules. These set out the limitations for use of the data supplied under that agreement.

When considering whether to share personal data with third-party states outside the EU, investigators need to consider whether additional data protection safeguards should be established.

Advice must be sought where investigators intend to share personal data with non-EU states that retain the death penalty or have a poor human rights record.

All disseminations should be sent with an attached risk assessment. For further detail on the different levels of authority needed prior to dissemination, see dissemination.

Investigators should also contact their force data protection representative for further information.

Overseas deployment

Foreign and Commonwealth Office website

To travel abroad in support of a UK investigation, a police officer should first seek the authority of their chief constable or equivalent.

NCA international must be contacted before a police officer travels abroad for operational reasons in support of a UK investigation. A UK investigation may have links with other international crime enquiries, including organised crime. The presence of UK police officers abroad could jeopardise an ongoing European investigation and in some cases put officers at risk.

SLOs have networks with police forces in most countries. They can give advice and arrange contact with the most appropriate overseas department to assist with a request for a police officer to travel abroad.

For further information on the process for requesting authorisation to travel abroad, contact the international police assistance section of the Home Office.

In addition, the police federation and relevant unions have policies and procedures in place to manage potential health and safety risks for officers travelling abroad.

Mutual legal assistance Mutual legal assistance (MLA) is the formal way in which countries request and provide evidence located in one country to assist in criminal investigations or proceedings in another country.

In England, Wales or Northern Ireland, MLA requests are made via an LOR (also known as an international letter of request (ILOR)). The purpose of an LOR is to ask the requested state to obtain specific, identifiable evidence.

An LOR outlines the case, the evidence requested and any legislation that should be adhered to in order to ensure that the evidence is gathered in a way that will be admissible in the requesting state's proceedings.

Responsibility for drafting and issuing an LOR rests with the relevant prosecution authority. In the UK this is the CPS.

MLA can be a resource intensive and time-consuming process, placing considerable burdens on the requested state. It should, therefore, be used only where the evidence is necessary and expected to add value. It must not be used if material can be obtained through other means, eg, where material is already in the public domain.

Letter of request

Evidence can be requested both before and after a person is charged with an offence. During the investigation phase, an LOR can be issued even prior to any suspect being arrested.

Types of assistance that can be provided under an LOR include a request:

- to take witness statements
- to search and/or seize property
- to formally interview suspects
- for banking evidence
- for telecommunications data
- to allow UK personnel to travel to the overseas state in question in order to conduct enquiries
- to conduct covert deployments.

Collecting a suspect from abroad

ACPO (2012) Practice Advice on European Cross-Border Investigations, section 18.1.7 Practical Considerations for Collection

Usually, an agreement between the police force of England, Wales or Northern Ireland and the requested country is required, detailing how and when the suspect will be collected and transported back to the requesting country.

Once the hearing has taken place in the country where the subject has been arrested, and the decision has been made to agree extradition, there is usually a ten-day period during which time the subject must be collected.

Within this ten-day period, the suspect has the right of appeal up to seven days after the date of the hearing.

In this timeframe, NCA makes the initial notification to the force. It may be a day or two before the collecting force is made aware of the situation. It is advisable that close contact is maintained with NCA from the time of arrest until the travel plans have been confirmed.

Officers collecting the suspect need to submit provisional travel plans to NCA. NCA then liaises with the relevant agency abroad to complete negotiations and confirm the collection plans.

There are a number of practical considerations officers should be aware of before collecting suspects. These include the availability of flights, risk assessments and multi-agency communication.

Key steps

There are a number of key steps that should be followed when collecting a suspect from abroad:

- INTERPOL notifies the ILO of extradition
- the ILO liaises with appropriately trained officers (usually three) and plans an outline date to travel
- arrange flights via local force procurement
- complete risk assessment for airline
- provide all details to INTERPOL so that arrangements can be made with the foreign state, and confirm time, date and location of exchange
- arrange for letter of introduction and provide copy of documentation to travelling officers
- collect subject and return.

Foreign prosecutions

Police forces in England, Wales and Northern Ireland can assist a foreign jurisdiction by gathering information, intelligence or evidence in the UK on behalf of the requesting nation, or by being deployed overseas.

Requests for evidential material are made to the UK using an LOR via the UK central authority (UKCA-mutual legal assistance).

It is important to understand the various justice systems applicable to an investigation in a foreign jurisdiction, and for the investigator to be aware of potential differences to the UK. See also the legal framework.

Note: it is not uncommon for foreign law enforcement officers to make direct contact with UK police. Care must be taken when sharing intelligence and information this way as, once released, it is impossible to control.

Death of a British national abroad

Where a British national dies abroad in suspicious or violent circumstances, the investigation is conducted by the appropriate authority in the foreign jurisdiction. The UK police may be involved in providing assistance abroad.

There are, however, limitations to the support that UK law enforcement can supply.

Potential differences

There are a number of ways in which a foreign justice system may differ.

- Detention laws, eg, in certain EU member states detention of a suspect allows for an interview to be undertaken, even in instances where the interviewing officers do not know not all the facts.
- Police staff and members of foreign LEAs may not be willing or readily understand the need to provide written statements for their part in an investigation. Instead, the prosecutor presents any evidence to the court.
- A statement may be a police officer's account of an interview they had with a victim or witness.
- The role of family liaison officer (FLO) does not formally exist in many countries.
- Mediums or psychics may be used as part of an investigation.
- Community policing may not exist or have the same importance as it does in England, Wales or Northern Ireland.
- There may be a lack of understanding of the need for additional and formal enquiries to be carried out once a suspect has made an admission of guilt.
- The prosecutor may make the arrest as the police may only have the power to detain.
- Crisis teams or other groups may be used to represent and assist national citizens when overseas should they become a victim of a serious crime, or are caught up in a disaster or accident. See ACPO (2012) Practice Advice on European Cross-Border Investigations, section 4.3 Working with Foreign Crisis Teams and Official Groups.

Providing assistance abroad

There are limited circumstances in which a UK police officer would is required to conduct enquiries abroad. In the majority of cases, the UK police will merely assist foreign police with an ongoing investigation.

UK police officers travelling abroad do so at the invitation, and with the permission, of the requesting state. Officers visiting another state have the same status as a member of the public. They have no jurisdiction while abroad. This is no different from when a foreign law enforcement officer visits the UK.

Limitations

Cross-border investigations can have varied resource implications for forces because:

- different jurisdictions have differing needs (eg, the method of dealing with or processing requests for information)
- the unique circumstances of each case requires different levels of response
- there is a difference in the requirements of individual victims and their families
- different forces have differing capacities and priorities to provide assistance.

As every case is different, each must be assessed on its own merits and resourced proportionately, according to its needs.

In the majority of cases, however, requests from foreign jurisdictions are straightforward and do not require vast amounts of resources.

Joint investigations

A joint investigation team (JIT) is a team made up of representatives from two or more EU member states' competent authorities, for a specific purpose and for a limited period of time. The JIT is based on an agreement between the parties. Although non-EU member states are not able to establish a JIT, they may participate if all other parties agree.

The concept of a JIT should be approached from the crime's international and cross-border dimension, rather than the seriousness of the crime.

When considering whether to establish a JIT, investigators, prosecutors and/or judges from the member states, together with delegates from Europol and Eurojust, should have a 'round table' discussion about the relevant matters at the earliest opportunity, before any formal process or agreement is prepared.

Eurojust

Based in The Hague in the Netherlands, Eurojust is a legal body of the European Union set up to improve the effectiveness of investigating and prosecuting serious and organised cross-border crime. EU member states are represented by a prosecutor, investigator or judge. Eurojust may act through its members or as a college.

Legal framework

The Crime (International Co-operation) Act 2003 (CICA) provides the domestic legal framework for UK police providing assistance to a foreign jurisdiction investigation.

The Police Act 1996 section 26 provides that a local policing body may give assistance to international organisations and overseas police authorities. It allows for the body to temporarily second a member of the police force. This person is maintained by the policing body. However, such action requires the consent of the secretary of state.

The Swedish initiative aims to simplify and speed up the exchange of information and intelligence between law enforcement authorities of the EU member states. To achieve this it establishes rules to govern the practice of exchange, and places obligations on every member state to cooperate in the exchange of information and intelligence in criminal investigations and intelligence operations.

The Schengen agreement contains a number of intergovernmental arrangements to ensure the security of the public and the member states. In order to control and trace the movement of wanted people and missing property across national boundaries, a common IT system for

exchanging information has been introduced. It is called the Schengen information system (SIS).

SIS

To meet the operational requirements set out in the Schengen agreement, every Schengen member state must establish a central authority as a single contact point for exchanging supplementary information related to SIS data.

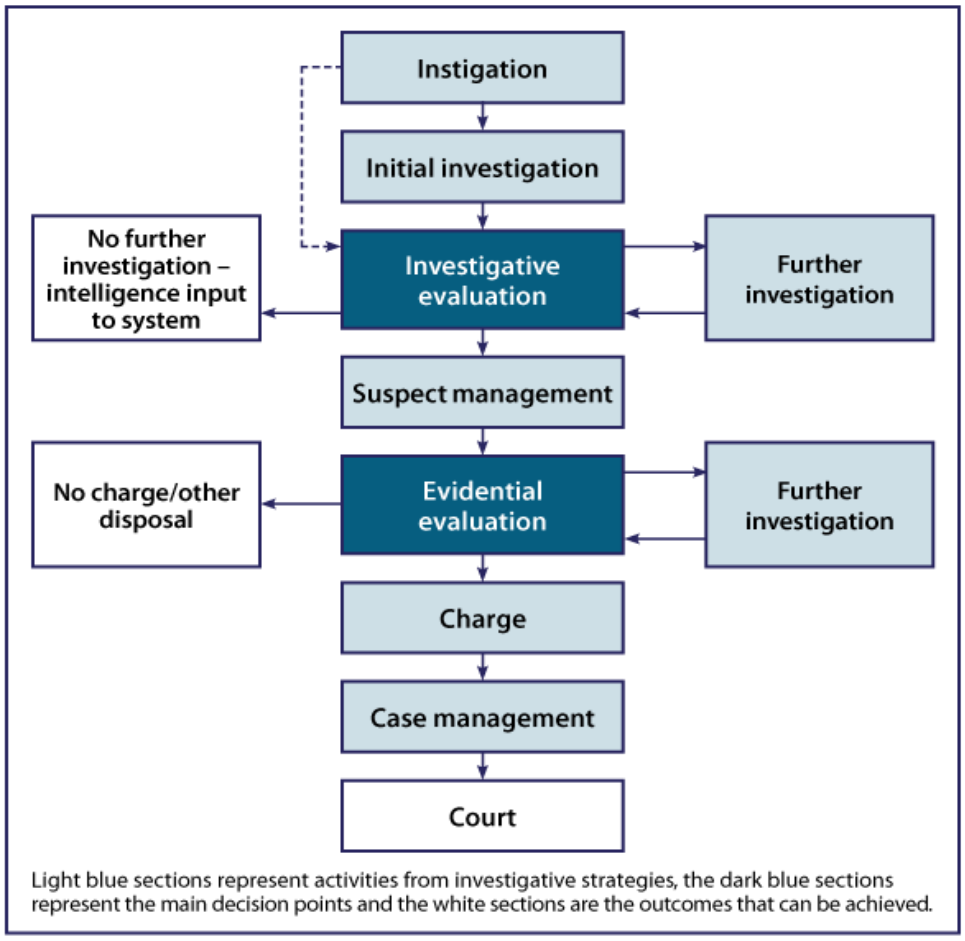
This contact point is referred to as SIRENE (supplementary information request at the national entries). The UK SIRENE bureau is being established within the multilateral branch of NCA in the North-West hub.

Source : APP

INVESTIGATION PROCESS

The type of activity investigators engage in and the material gathered varies depending on whether investigations use the reactive or proactive method. However, they all go through similar stages, as shown in the process of investigation diagram.

Every investigation is different and may require a different route through the process, eg, in some cases the identity of the offender is known from the outset and the investigation quickly enters the suspect management phase. In others, the identity of the offender may never be known or is discovered only after further investigation.



Light blue sections represent activities from investigative strategies, the dark blue sections represent the main decision points and the white sections are the outcomes that can be achieved.

Instigation

A criminal investigation can be instigated using either a reactive or proactive approach.

Reactive investigations can start with:

- reports from the general public
- referral by other agencies
- intelligence links to other crimes (linked series)
- re-investigation as a result of new information
- a consequence of other police actions.

Force policy guides call takers, public counter staff and patrol officers on the information that they need to gather and subsequent action to take. When receiving reports, staff should ensure that they record, retain and reveal all material and pass it to the investigating officer. Investigators should be familiar with the investigative strategies relating to victims and

witnesses, as this enables them to exploit early opportunities to gather material by questioning the person reporting the crime.

Proactive investigations can start from an intelligence package identifying groups or individuals who are assessed as being involved in ongoing criminal activity. They are often generated as a result of the tasking and coordination (T&C) process, and allocated for further investigation. Intelligence packages may include:

- crime pattern analysis
- network analysis
- operational intelligence assessment
- problem profiles
- market profiles
- subject analysis
- tactical assessment
- criminal business analysis
- tactical profiles

Call takers

Initial telephone contact between victims and witnesses with the police service should be regarded as the start of the investigative process. The call is an opportunity to obtain accurate and relevant information, collect evidence, ascertain if a crime has occurred and give reassurance and guidance to the caller, eg, about the preservation of forensic evidence. This process can be enhanced by the use of scripts, drop-down menus and other prompts which may assist call handlers to deal with initial reports of a crime.

Crime screening

The call handler, at the point of initial report, determines the response to a crime. They must decide whether it warrants the deployment of a response unit, referral to a crime recording bureau, or if it should be recorded as an incident requiring no further action (NFA)

Initial investigation

Most crimes reported to the police are not major incidents and usually the officer who first attends is the only resource that is required. This officer may be the investigator throughout the enquiry.

The quality of the investigation, whether carried out in person or over the telephone, is a significant factor in gathering material that leads to the detection of a crime. There may be limited opportunities to locate and gather material and it is vital that those who conduct the initial investigation ensure that material is not lost. Once a crime has been allocated to an investigator, it is important that they gather material from whoever took the initial report. Investigations should be conducted thoroughly, and investigators should not assume that a crime cannot be solved or that someone else will carry out an investigation at a later stage.

Officers initially deployed to an incident are likely to have a number of competing demands placed on them. These demands include:

- dealing with a violent situation
- providing first aid and calling for medical assistance
- reassuring victims and witnesses
- preventing public disorder.

FAST-TRACK ACTIONS These are defined as: any investigative actions which, if pursued immediately, are likely to establish important facts, preserve evidence or lead to the early resolution of the investigation. Fast-track actions can be applied to reactive or proactive investigations, irrespective of when the crime was committed. The first chance to obtain material may be the last. Identifying these actions during the initial investigation stage produces the most effective outcome. A delay in protecting, preserving or gathering material may result in evidence being contaminated or lost. In larger enquiries SIOs should establish strategies to ensure that new information is brought to their attention quickly, so that fast-track actions can be taken when they are needed. Once these immediate priorities are dealt with, officers should plan how best to conduct the investigation and should consider a number of key factors. Having done so, it is then appropriate to consider concluding the initial investigation.

FACTORS The following factors should be considered at the initial investigation:

1. scene management (identify and preserve)
2. material (identify other potential evidence sources)
3. who is the investigating officer?
4. risk management
5. what is the limit of the initial attending officer's role?
6. communication
7. record keeping
8. handover and briefing
9. community impact
10. initial fast track actions
11. investigative interviewing (witness, victim and offender)
12. initial search (access routes, exit routes, places where offenders are likely to have been).

Officers should call for assistance from supervisors where it appears that a major crime has been committed, such as homicide or rape. While officers wait for assistance their priorities should be to:

1. preserve life
2. preserve scenes
3. secure evidence
4. identify victims
5. identify suspects.

CONCLUSION The initial investigation phase is concluded when a number of actions have been completed. These include:

1. the investigator obtaining an account from the victim and any witnesses who are immediately available (individual force policy will determine whether this a witness statement (MG11), notebook entry or verbal account)
2. the immediate needs of victims and witnesses have been met
3. the crime scene examination has been instigated
4. all fast-track actions indicated by the material to hand have been taken
5. all records required by the Criminal Procedure and Investigations Act 1996 (CPIA) and individual force policy have been made
6. all intelligence gathered during the initial investigation has been submitted

COMPREHENSIVE RECORDS A comprehensive record of all enquiries completed during the initial investigation enhances the overall efficiency by:

- assisting the investigator to carry out an investigative evaluation
- contributing to the intelligence picture of crime in the area
- enabling supervisors to assess the quality of the investigation
- facilitating the handover of the investigation if it is allocated to another investigator.

FURTHER INVESTIGATION

Where a crime or intelligence package is allocated for further investigation, investigators should develop a clear plan for how they intend to bring the investigation to a successful conclusion.

The investigative plan should be based on a rigorous evaluation of the material that has been gathered to date and should include the following factors:

- specific objectives of the investigation – these depend on the unique circumstances of the crime and the material that has been gathered
- investigative strategies that are used to achieve those objectives
- resource requirements of the investigation which in many cases is limited to the investigator, crime scene examination, and forensic analysis of the material recovered from the scene or suspect. It is part of an investigator's responsibility to articulate their resource requirement to managers.

In circumstances where the initial investigation and evaluation have led to the identification of a suspect, and there is sufficient material to justify interviewing the suspect under caution, the investigation is likely to move straight into the suspect management phase.

SUSPECT MANAGEMENT

Where a person is suspected of committing an offence, Guidance 10A of Code C of the Codes of Practice to the Police and Criminal Evidence Act 1984 requires there to be some reasonable, objective grounds, based on known facts or information, which are relevant to the likelihood that the offence has been committed and the person to be questioned committed it.

The identification of a suspect provides an opportunity to use a range of investigative strategies that focus on that individual.

CASE MANAGEMENT

Once the suspect has been charged, there are a number of matters which investigators must manage before a case goes to court. The Crown Prosecution Service (CPS) and police are jointly responsible for the prosecution of the case after a suspect has been charged.

If further investigative action is required, investigators will liaise closely with the CPS.

Material Material of any kind, including information and objects, which is obtained in the course of a criminal investigation and which may be relevant to the investigation; Material may be relevant to an investigation if it appears to an investigator, or to the officer in charge of an investigation, or to the disclosure officer, that it has some bearing on any offence under investigation, or on the surrounding circumstances of the case, unless it is incapable of having any impact on the case.

SOURCES OF MATERIAL Criminal investigations must comply with the CPIA. Investigators should familiarise themselves with the provisions of the Act and the Code of Practice issued under it when making enquiries and gathering material. Investigators must:

- pursue all reasonable lines of enquiry
- identify all relevant material (whether or not it is in the investigator's possession).

A consistent approach and an investigative mindset should be applied whether or not the material or enquiry points towards or away from the suspect.

Potential sources

Material can be gathered from various different sources. These include:

- victims
- witnesses
- suspects
- scenes (which includes scenes of crime, the victim, suspects and their premises)
- passive data generators, eg, CCTV, telephone records, banking and credit card records
- intelligence databases
- communications between the police and experts.

Formats of material Material generated by the offence may present itself in a number of different formats, and the investigator will aim to gather as much material as possible. However, as the investigation progresses, the amount of material that will be capable of being used as evidence in court will be less than that gathered by the police.

Any tangible object could be material. Intangible objects such as sound or images can be converted and reproduced into a format (eg, video or audio recordings) that can be used as evidence. Common formats of material include:

1. statements
2. documents
3. reports
4. physical exhibits
5. fingerprints
6. images
7. audio or video recordings.

MATERIAL GENERATED The amount of material that is generated by a criminal investigation depends on a number of factors such as:

- whether a crime is spontaneous or planned
- the offender's criminal experience
- the number of people who know the offender and the victim.

Each crime has a unique mix of material. It is impossible to gather all the material generated by the offence, but the investigator must gather as much as possible.

REASONABLE AND RELEVANT ENQUIRIES Reasonable and relevant enquiries depend upon the unique nature of the incident under investigation. If there is dispute over what is believed to have taken place, it may be a reasonable line of enquiry to locate further witnesses or to recover relevant material which may have been identified from a search or forensic examination. Material includes verbal information which is due to be recorded.

What an investigator considers reasonable or relevant may need to be justified later. It is, therefore, essential that they record their decisions and supporting rationale.

When investigators conduct reasonable enquiries and gather relevant material, it is important that they remember the following points:

1. Review – consider further relevant lines of enquiry or more relevant material
2. Record – keep a log of material and enquiries made
3. Retain – keep material in a durable format and/or copy
4. Reveal – if a prosecution takes place the relevant material will be scheduled for the prosecutor.

TOWARDS OR AWAY In conducting an investigation, the investigator should pursue all reasonable lines of enquiry, whether these point towards or away from the suspect (Code of Practice to the Criminal Procedure and Investigations Act 1996 s.3.5).

What is reasonable in each case depends on the particular circumstances. For example, where material is held on a computer, the investigator must decide which material it is reasonable to enquire into and in what manner.

Example If four out of five witnesses report that the suspect was in a red car and the remaining witness's report contradicts this, the investigator should not assume that the majority are right and must investigate further to ascertain the exact colour of the suspect's car.

Investigators should expect to be challenged by the defence in relation to the enquiries that were made to ascertain any discrepancies in statements.

RELEVANT MATERIAL The golden hour principle will assist investigators to maximise the quantity of relevant material gathered. However, it is not always possible to collect all of the material generated by the offence as some:

- physical evidence may be lost or destroyed
- witnesses may not be traceable
- material is known only to the offender, who does not reveal it to others.

DETERMINING RELEVANCE To determine whether material or enquiries are relevant to the investigation, investigators need to ask 'does this have the capacity to impact on the case?' In the early stages of an investigation, it may be difficult to determine what is or is not relevant, what happened in the case or what the issues are likely to be. Officers should not confuse relevance with the test for disclosure.

EXAMPLE OF RELEVANT MATERIAL The identity or identification of a suspect may no longer be an issue and so the material held regarding this line of enquiry may no longer be relavant. This could include CCTV footage which was held in the hope of identifying a suspect in the vicinity. In some circumstances the CCTV footage might still be relevant for other reasons, therefore, investigators have to justify its retention to themselves and others. If investigators are in any doubt about the relevance of material, they should seek advice from line managers or the CPS, or review the NCALT e-learning package **Fair Investigations for Fair Trials**.

Source : APP

Criminal Investigative Analysis (CIA), also known as criminal profiling, is an investigative tool used within the law enforcement community to help solve violent crimes. The analysis is based on a review of evidence from the crime scene and from witnesses and victims. The analysis is done from both an investigative and a behavioural perspective. The analysis can provide insight into the unknown offender (characteristics and traits) as well as investigative suggestions and strategies for interviews and trial.

A CIA cannot replace a thorough investigation; and the accuracy and detail of a CIA is limited by the accuracy and detail of the information on which it is based. CIA does not use crystal balls or psychic experiences; it is a logical, systematic approach for analyzing behaviour.

CIA services can assist in the investigation of interpersonal violence, particularly homicide and sexual assault cases. CIA is suitable for single-incident or serial cases with one or more victims, including:

1. homicides;
2. kidnapping, including infant kidnapping;
3. sexual assault;
4. child molestation and abuse;
5. hostage taking;
6. bombings;
7. arson;
8. threat cases; and
9. extortion.

CIA analysts are experienced investigators with extensive training in behavioural analysis. They have been certified by the International Criminal Investigative Analysis Fellowship to provide analyses of criminal behaviour.

CONSULTING SERVICES The consulting services that CIA analysts offer to criminal investigators include the following areas:

Personality Profile: This is a detailed behavioural analysis to derive information about an unknown offender. The analyst examines information about the victim and the offence to determine the characteristics and traits of the offender. Such a personality profile may allow those involved to recognize someone as a possible offender. Based on the analysis, the analyst can usually offer suggestions for further investigations.

Indirect Personality Assessment: This is an assessment of a known individual believed to be responsible for committing a violent crime. The assessment, based on an evaluation of the individual's personality, can help to determine:

1. whether or not the suspect's personality fits the crime under investigation;
2. suspect's strengths, weaknesses and areas of vulnerability ;
3. interview techniques appropriate for the suspect;
4. strategies for a successful undercover operation;
5. strategies for negotiating successfully with a hostage-taker;
6. strategies for investigating offenders of sexual homicide or serial rape, particularly to elicit predictable actions on the part of the offender; and
7. most appropriate trial and courtroom strategy.

Equivocal Death Analysis: This is an in-depth crime scene reconstruction undertaken to provide an opinion on the manner of death: homicide, suicide, accidental death, death by

natural causes, or death by misadventure. This is generally done in conjunction with a psychological autopsy.

Assessment of Threat or Extortion Communications: The analyst examines a threat or extortion communication for content and stylistic characteristics in order to assess the validity of the threat and the level of risk to the victim and suggest ways to minimize the risk to the victim. In some cases it is possible to provide a profile of the unknown author or caller.

Consulting to Provide Expert Analysis: This service is provided to help investigators focus and fine tune interview techniques, develop investigative strategies including undercover operation strategies, and develop an appropriate trial and courtroom strategy. A CIA analyst can provide services such as:

1. crime scene reconstruction;
2. expert evidence/reports to coroner's inquest;
3. expert opinions for use in search warrant and privacy act applications;
4. expert evidence/reports regarding the 'signature' of serial violent offenders;
5. analysis of stalking cases;
6. research on unusual areas of expert examination;and
7. consultation on media strategy and releases.

Requesting Criminal Investigative Analysis Services

CIA services should be requested early in the investigation in cases where the crime is one of interpersonal violence, where most investigative leads have been exhausted or where special circumstances exist. Canadian and international police services can contact the RCMP to request the services of a criminal investigative analyst. These services are limited to our policing partners.

How to become a Criminal Investigative Analyst?

To become a Criminal Investigative Analyst (CIA) in Canada, you must have **extensive policing experience** working sexual assault and homicide investigations. You must possess a knowledge of crime scene investigation and police procedures regarding interviewing, interrogation, and forensic pathology. Currently the only three police forces in Canada that have CIA positions are the RCMP, the Ontario Provincial Police (OPP) and the Quebec Provincial Police (QPP).

While a University degree is not required to become a CIA, it does not hurt to have a knowledge of the studies done in fields of psychology, criminology, and other disciplines as they relate to offenders, victims, geography and so on.

There are several non-police persons, academic or otherwise, who claim that policing is not required to be a Criminal Investigative Analyst. However, any analysis done without an understanding of offender/victim interaction, and how it can be reflected in a crime scene, misses a key component for doing a complete analysis. Cases are typically referred by other police agencies, who will not typically disclose sensitive information to those without proper clearances for investigational and prosecutorial reasons. Details of a case are guarded and the only way to access the specifics of a case are by invite from the investigators, therefore access is limited to police investigators only.

Source: Royal Canadian Police

Criminal Investigative Analysis:
Practitioner Perspectives (Part One of Four)

By J. Amber Scherer, M.A., and John P. Jarvis, Ph.D.

Criminal behavior profiling has increased in notoriety over the past three decades. The media have guided the public's perception of this type of analysis, and fictional television shows, such as *Criminal Minds* and *The Mentalist,* and the well-known film *Silence of the Lambs* have helped spike its popularity. The Behavioral Analysis Team led by Aaron Hotchner on *Criminal Minds* gives viewers the false impression that each character on the show possesses some unique, specialized—perhaps, bordering on psychic—insight into offenders' minds. Rather, individuals who practice this specialized analysis have years of law enforcement experience and training to prepare them to examine criminal behavior. Nonetheless, debates persist, especially in academia, about the background, skills, and training needed to practice behavioral analysis in this arena.

The lack of universal agreement regarding the definition of behavioral profiling lies at the heart of many contentions. A history of offender profiling and how it has advanced into a more comprehensive analysis, including additional services to assist law enforcement agencies, can provide insight. The growth of more widespread investigative assistance has led to both the need for and debate concerning appropriate training in this area. Also valuable are observations derived from a recent study that examined the experiences of actual criminal profilers, referred to in this article and in the field as criminal investigative analysts.

This article constitutes part one of a four-part series addressing different aspects of "criminal investigative analysis." Part two will address the skills, expertise, and training necessary for this type of analysis; part three will explore measures of success and effectiveness; and part four will examine different applications for the courts.

BACKGROUND OF PROFILING

Since the 1970s the FBI has helped state, local, and federal law enforcement agencies to investigate violent crimes. Experts within the FBI's Behavioral Science Unit (BSU) initiated the practice of profiling, which involves providing a requesting department with the behavioral and personality traits of a likely offender. It began as an analytical method to identify offender characteristics based upon a thorough examination of the crime dynamics and the crime scene and continued to develop over the years as a practical investigative tool to aid officers in advancing their casework and sometimes narrowing down a suspect pool.

> "These wider applications of behavioral analysis illustrate the evolution and utility of this analytical approach in examining a broader spectrum of criminal behaviors."

Like many analytical approaches offender profiling was a byproduct of the training programs offered within the BSU. In their classes, instructors encouraged students to discuss both solved and unsolved cases. Then, the officers noted crimes involving similar offenders. In subsequent courses students presented similar unsolved cases, and instructors responded with verbal profiles. Students then used this information when returning to their home agencies, later reporting that the profiles assisted them in their cases by saving them time and focusing their efforts. In some instances officers solved the case by using only the profile. As the news of the valuable assistance grew, so did the number of requests for offender profiles. However, at that time the instructors were primarily responsible for training, so they had limited time to conduct formal case analyses.

Since the informal initiation of the analysis process, the FBI has assisted (e.g., through crime analysis, case linkage analysis, statement analysis, and psycholinguistic techniques) with cases involving multiple types of crime, including hostage taking, rape, arson, and serial sexual homicide. In general, assistance requested in these investigations focused on developing characteristics and traits of offenders. These wider applications of behavioral analysis illustrate the evolution and utility of this analytical approach in examining a broader spectrum of criminal behaviors.

ADVANCEMENT OF CRIMINAL INVESTIGATIVE ANALYSIS

Again, when the various types of analytic services that were available to law enforcement agencies increased, so did the need for assistance. Therefore, to better reflect the roles of those within the FBI providing the assistance, profiling was renamed criminal investigative analysis. Creating an unknown offender profile has become and continues to be just one of the many services within this analytical framework provided to law enforcement to assist with the investigation of violent crimes. As such, criminal investigative analysis has become an umbrella term encapsulating a variety of services, including myriad behavioral advice provided by the FBI to law enforcement agencies.

While criminal investigative analysis, now practiced around the world, is most well-known for the production of offender profiles, the practice has expanded into a more comprehensive investigative aid providing a variety of services to law enforcement agencies.

1. Indirect personality assessments
2. Equivocal death analyses
3. Investigative suggestions
4. Interview strategies
5. Linkage analyses
6. Media strategies
7. Threat assessments
8. Search warrant affidavit assistance
9. Trial strategies
10. Expert testimony
11. Geographic profiling
12. Critical incident analyses

To characterize criminal investigative analysis as only offender profiling is both oversimplified and antiquated. This perspective is highlighted by the findings from recent interviews with criminal investigative analysts who noted that the consultative services go far beyond providing an offender profile and may, in fact, be more useful during an investigation. According to one interviewee:

The most important thing I used to do was [assist with] interview or investigative strategy. In other words, if I do a profile saying you are looking for a white guy in his 30s, the proper response from the investigator was, ‘That’s kind of cool, but how do I catch the guy?’ And, that’s really the issue, so it’s investigative strategy, or interview strategy if you’ve got a suspect or several suspects or a difficult witness. It’s interview or interrogation strategy and investigative techniques that are the nuts and bolts that really move things forward.

The primary goal of criminal investigative analysis is to examine all of the behavioral information and provide advice to the requesting agency, rather than become involved in the actual investigative process. Occasionally a criminal investigative analyst or team will go out to the field and *assist* in the process or testify, but the investigation is left for the law enforcement agency that requested the assistance. The FBI does not come in and take over

the case; rather, assistance is provided to an agency in its investigation. One interviewed subject shared a reference to a long-running television show, which underscores this point.

The Lone Ranger show, one of my favorite shows, the Lone Ranger was this guy who came into town. He helped out the local sheriff or marshall, helped him solve the case and arrested the bad guy. And, at the end the sheriff would be standing there talking to people, saying, 'Yes, we got the guy who committed these murders, he's in jail.' There is a great sheriff, and everyone was asking, 'How'd you do it?' And where was the Lone Ranger in town? He was riding out of town. He gave all the glory to the sheriff, and he just rode off into the sunset. That was the idea, that we would come in and help these people. We didn't claim the credit and the glory.

If a homicide or other violent crime occurs, and your agency has exhausted all investigative leads, you may think it wise to seek behavioral analysis assistance. But, do you know what kind of help would prove most beneficial?

Often, the initial thought is to request a behavioral profile of the unknown offender. But, perhaps, a service other than a list of traits and characteristics of your likely offender would be most valuable. What may help the investigation more is a list of strategies to help narrow down your suspect pool, followed by possible search warrant affidavit assistance. Then, once you have a likely suspect, following up with the criminal investigative analyst for interview strategies would be most helpful. Later, if the case goes to court, a range of behavioral investigative strategies (e.g., jury selection advice, prosecutorial trial strategies, case presentation, or expert testimony) may assist with a successful prosecution.

Case Example

> "To characterize criminal investigative analysis as only offender profiling is both oversimplified and antiquated."

Exploring an adjudicated case can illustrate how the range of criminal investigative analysis services can offer the most benefit during an investigation. However, this example only shows how criminal investigative analysis services were provided in one particular case. It does not illustrate the required protocol for services to be rendered in every case because this varies, nor does it endorse a required methodology. In the late 1980s a male offender was convicted of committing two homicides and suspected in three others. The first victim was hitchhiking at the time of the crime and, thus, was at high risk. Her body was found on the side of the road. A few months later, the second victim, also hitchhiking at the time of the crime, was found dumped on the side of the road. The investigating agency noticed the similarities between the two cases and sought assistance from personnel trained in criminal investigative analysis. Two FBI special agents assisted. First, they provided a general crime analysis, which consisted of, for instance, identification of shared characteristics of the crimes, evaluation of case linkages, assessment of victimology, and analysis of crime signature aspects. Then, from that analysis, the agency requested an unknown offender profile to identify the characteristics of the individual that its investigators should look for. Therefore, the analysts provided both traits and characteristics of the type of person who would have committed these two homicides.

A threat assessment suggested that the offender would kill again. From this information investigative techniques were developed to help make the subject evident to the police. In this

case it was thought that the community should be warned of this individual through a media release, so the analysts also provided media strategies.

As the police pursued their investigation, another victim was discovered. Unfortunately, due to decomposition of the body, there was not sufficient evidence to assist in the investigation. Then, a month after finding the third body, another victim disappeared and never was recovered. Because of the developments in the case, officers continued providing information to the FBI special agents to receive further investigative suggestions. A decoy operation using a female officer was set in place. Although dangerous for that female officer, the necessary information was gathered for identification of the suspect, as well as evidence that could help convict the offender of the first two murders.

At that time research was gathered to support an affidavit for a search warrant to gain access to the suspect's car. The specifics of the complex case suggested that law enforcement officers sought possible fibers from inside of the vehicle.

At the same time, another victim had disappeared, but was disposed of in water (instead of dumped on the side of the road). This suggested that the offender watched the media accounts and changed his methods of operation (MO). Thus, the criminal investigative analysts modified their investigative suggestions.

Fortunately, these efforts were successful. With that said, once the suspect was taken into custody, the investigators requested additional behavioral assistance with interview and interrogation techniques. This involved an indirect personality assessment (IPA) of the suspect. However, in this case it was difficult to get enough background about the suspect's personality.

When the case goes to trial, the IPA also could be used in formulating a prosecutorial strategy. In this case the prosecutor had the same physical features as the victims, which were used to re-create scenes for the jury during case presentation. Trial strategies also are used during jury selection and opening and closing remarks. Additionally, expert testimony may be requested for service as an educated witness who can help identify, for instance, MO, signature, staging, or sexual homicide, if present.

Overall, this excellent real-life case example shows how numerous criminal investigative analysis services can be requested and used in one case consultation to assist a department with its investigation. However, this is an exceptional circumstance. Rarely do law enforcement agencies request this level of specialized behavioral assistance.

Definition of Problem

Although criminal investigative analysis has become a more comprehensive investigative tool, no collective or agreed-upon definition describing this process exists, either in law enforcement or academic literature. This exacerbates subsequent debates regarding the methods employed and the training required to deliver these services. For example, one question that arises is whether this process should be empirical or experience based. The expertise of an individual who provides criminal investigative analysis is debated regularly in literature, including whether investigative experience is necessary. In addition, discrepancies were found in the literature pertaining to required skills and training, the profiling process, and criticisms of its application. Common questions are debated throughout the academic literature and highlight longstanding controversies within the community of practice.

1) If I want to practice criminal investigative analysis, do I need formal training?
2) What makes someone who practices this analysis an expert?
3) Is investigative experience really necessary?

4) Is logic and objective reasoning more important than investigative experience?
5) Are the methods used standard and reliable?
6) What makes criminal investigative analysis effective?
7) Is profiling actually successful?

These illustrate the obstacles this work must overcome to become more accepted by the academic and law enforcement communities. With that said, these debates have been examined in an ad hoc manner with little systematic assessment. To overcome this shortfall, the remainder of this article reports the results of a recent study (referred to earlier) designed to examine these issues by interviewing practitioners of this analytical technique.

RESEARCH STUDY Various dynamics of profiling have undergone analysis in the past. Yet, there has been little attempt to tap into the wealth of knowledge, experience, and skills of those who engage in such work. As such, the literature has noted that fully understanding the process requires examining the knowledge of those who engage in the analysis and making it explicit. This research responded to this call by seeking to gain insight into the background, training, skills, and expertise crucial for consistently applying the profiling techniques within criminal investigative analysis from individuals who likely have extensive knowledge in the practice. The primary goal was to examine common perspectives and practices among individuals experienced and informed about criminal investigative analysis services and processes.

Process

Participants The subjects consisted of individuals who had practiced criminal investigative analysis while working with the FBI, persons trained by the FBI to perform these services, or individuals with law enforcement experience in providing criminal investigative analysis services who also received FBI instruction. All participants had the ability to explicitly provide important data regarding practices of criminal investigative analysis. Initial participants were identified using purposive and convenience sampling from knowledge and access of working in the BSU. Subsequent participants were recruited using snowball sampling, yielding a sample size of 40.

> “Although criminal investigative analysis has become a more comprehensive investigative tool, no collective or agreed-upon definition describing this process exists, either in law enforcement or academic literature.”

Methods After reviewing and signing a voluntary consent form, every participant completed a semistructured 46-question interview. All of the interviews were audio recorded per consent of the interviewee to obtain full documentation of responses. All individual responses remain confidential because all results are aggregated and made anonymous herein.

Findings

Demographics Of the 40 individuals (male = 87.5 percent) interviewed for this study, 6 (15 percent) were from an international law enforcement agency. The mean number of years of law enforcement experience reported was 32.9, ranging from 15.5 to 51. Regarding prior experience, 97.5 percent had general investigative experience, and 75 percent had both general investigative experience and specific experience in violent crime investigation. Of the individuals interviewed, 47.5 percent of them currently practice criminal investigative analysis full time, and 22.5 percent do so part time.

Definition of Criminal Investigative Analysis: An important finding from this research was that no singular definition of criminal investigative analysis exists.

1) 27.5 percent of the respondents described it as a list of services that can be provided to an agency.
2) 25 percent described it as—similar to the original definition of offender profiling—deriving characteristics of an offender from the characteristics of the crime scene.
3) 22.5 percent described it as a process used for analyzing information.
4) 15 percent described it as both a list of services that can be provided and a process to be used.
5) 10 percent described it as something else.

The notion that criminal investigative analysis may include multiple services provided to a requesting law enforcement agency is illustrated by the viewpoint offered by one of the respondents. It encompasses a variety of investigative techniques that are aimed at narrowing the focus of an investigation. I refer to it as 'behavioral forensics,' so we might, sometimes we are working during the investigative stage of assisting law enforcement, helping investigators to have a better understanding of an unknown offender's behaviors. We might do a crime scene analysis to sequence events, to bring a better and a clearer, more accurate understanding of how a crime was committed and identify the behaviors that the offender engaged in and the behaviors that the victim engaged in, to put those together so, so that they understand what happened. We might also do a crime scene reconstruction. But, also, it entails working during the prosecution of a crime to provide, um, trial strategy, cross-examination strategy, trial prep, expert testimony. Also worked doing threat assessment. Also, in the, in the last portion of my work as a profiler, I worked closely with geographic profilers to combine both the behavior and better understanding of the locations involved. That was very, very successful. Other varying perspectives on the definition of criminal investigative analysis exist. For instance, one respondent explained the prototypical definition of profiling: "Criminal investigative analysis is a process of analyzing the facts of a case and interpreting the interaction between the victim and the offender as exhibited at the crime scene." Another respondent described criminal investigative analysis as both providing multiple services, as well as a specific process to follow: "It's an umbrella of *services*, but it all focuses back to that *process* of reviewing that criminal act and then, you know, suggesting something from that."

CONCLUSION As is evident, the perspectives surrounding the definition of criminal investigative analysis vary widely. This lack of definition of its core concepts likely is the source of many other disagreements (e.g., the methodology used and how to measure success), as well as misunderstandings concerning the training and skills needed to deliver these analytical services. Without understanding the core concepts measured and implemented, it is difficult, if not impossible, to determine consistent and reliable results to establish success.

> "…the perspectives surrounding the definition of criminal investigative analysis vary widely."

This article has described the dynamics of the overall research study and highlighted the inherent misunderstanding surrounding the definition of criminal investigative analysis. Additional findings relative to further debates surrounding the training and skills required, success and usefulness, and utility in court will be addressed in the next three issues of the *FBI Law Enforcement Bulletin*.

Source: FBI

Criminal Investigative Analysis:
Skills, Expertise, and Training (Part Two of Four)

By J. Amber Scherer, M.A., and John P. Jarvis, Ph.D.

The previous edition of the *FBI Law Enforcement Bulletin* featured the first of a four-part series on criminal investigative analysis. Part one, "Criminal Investigative Analysis: Practitioner Perspectives," outlined variations in the understanding of criminal investigative analysis and how that inconsistency affects both the definition and practice of this specialized method for investigating criminal behavior. Criminal investigative analysis encompasses a variety of services—including construction of an unknown offender profile, behavioral investigative strategies, interviewing techniques, media strategies, prosecutorial advice, and expert testimony—to aid law enforcement officers with investigations.

Part two will extend the previous work by reporting the prevailing thoughts relative to the required training, skills, and expertise considered essential to yielding successful results from providing these services. Because the most common analysis believed to encompass criminal investigative analysis, both in academic journals and in common conceptions, is the creation of an unknown offender profile, the authors offer a short history of the evolution of criminal investigative analysis. This history underscores the variation in practice that has emerged and provides clear insight into the specific training and skills required

HISTORY OF THE PROCESS

Different Approaches to Profiling

Academic literature has described three general approaches of the offender profiling process: 1) criminal investigative, 2) clinical practitioner, and 3) scientific statistical (empirical) approach. Historically, the criminal investigative approach stems from the original process developed by the FBI's Behavioral Science Unit (BSU) in the 1970s. The clinical practitioner application relies heavily on the individual's level of experience and ability to draw inferences from crime scene information, which some people suggest differs little from the criminal investigative approach, except for the noticeable absence of the requirement for extensive investigative experience. Because these first two approaches predominantly focus on the specific case details in crime scenes, the criminal investigative and clinical approaches often are collapsed into experiential-based methods, differing from the empirical method.

> "…*both* investigative experience and formal training are essential to providing effective criminal investigative analysis services."

In contrast, the empirical approach adheres to statistical methods aimed at detecting global patterns and trends and largely is based on multivariate analyses of behavioral information found at the crime scene to infer offender characteristics. Academic literature has considered these approaches, and some publications have described, perhaps too simplistically these methods as experience-based processes employing common sense and deductive reasoning, rather than an empirical-based process using an inductive approach based on empirical results.

Experiential Versus Empirical In the experiential-based methods, originally characterized as "art" based on the experience of the analyst, little research allegedly exists documenting the actual process of deriving inferences. However, part one of this series contained details of the processes used at that time for constructing offender profiles; a description of the

expertise involved is described qualitatively as "the result of years of accumulated wisdom, extensive experience in the field, and familiarity with a large number of cases." Later research described the process of offender profiling (i.e., constructing an unknown offender profile) as a sequence of inferences, but also noted considerable variation in the application of the process.

Similarly, other researchers identified a number of characteristics and skills important to conducting this type of analysis: *investigative* experience, research experience, intuition, lack of emotions, analytical skills and logic, ability to reconstruct the crime from the criminal's perspective, thorough knowledge of the criminal mind, and fundamental understanding of psychology. In fact, these researchers underscored the importance of experience in their assertion that "no amount of education can replace the experience of having investigated crimes."

In the empirical-based approach, the analysis of inferences reportedly relies upon the application of general psychological principles to empirically examine an offender's behavior and statistically analyze a large number of police cases and crime information all at one time. This approach was established due to the original work of another researcher and his colleagues who aimed to develop an explicit, psychological framework believed to be directly useful to police investigation. The benefits of this approach include having the ability to analyze large datasets at one time to run multivariate analyses of behavior and other information found at the crime scene to infer the offender's characteristics. However, certain critiques of this method also have arisen. Most significant, this type of analysis is less useful when using inductively gathered research on specific cases, especially when base-rate behaviors are ignored and when studies are small or use unrepresentative samples.

CRIMINAL INVESTIGATIVE ANALYSIS IN PRACTICE

Since the early work detailing this process, several practical limitations have been offered regarding the provision of profiling services within criminal investigative analysis. For example, care in constructing analysis that relies on strictly broad generalizations about an offender's behavior, avoidance of specific statements about the likely traits and characteristics of an offender, and reservations relative to specificity in claims about an offender's motivation for the crime all have been noted as possible. Overreliance on information and analysis can lead to an inappropriate prioritization of suspects, mismanagement of resources, and, ultimately, a delay in successfully solving the case.

> "Historically, the criminal investigative approach stems from the original process developed by the FBI's Behavioral Science Unit (BSU) in the 1970s."

Subjective Versus Objective The scientific status of the offender profiling service depends upon the reliability and validity of the actual process. Characteristic of the experiential-based perspective, the profiling process involves subjective interpretations. On the other hand, adhering to the empirical-based perspective and avoiding important methodological issues created by subjective interpretations suggests going beyond the subjective expertise of the analyst by concentrating on empirical methods of study, which may prove more reliable. Similarly, when constructing profiles of unknown offenders, other research emphasizes the importance of supporting claims concerning characteristics of suspects with empirically validated research. Some researchers argue that using the Toulminian framework can provide a basis for professionalism, ensure a high standard of integrity, and help prevent speculation and lack of accountability.

Another researcher outlined a hybrid approach based upon practices used in the United Kingdom that involve behavioral investigative advisors aiding major crime investigations "to enhance the scientific method of the investigative process through appropriate provision of hypotheses, evidence-based prioritization of the 'most likely' and associated decision support strategies, grounded firmly in both psychological principles and available empirical research findings." Overall, even in light of these varying perspectives pertaining to this behavioral analysis process, criminal investigative analysis remains an effective tool for assisting law enforcement in furthering investigations.

Expertise Defining an "expert" in any field—including criminal investigative analysis—often leads to debate. Experts have been described as individuals who have professional competence in a specialized field, usually achieved by extensive theoretical and practical training. According to other suggestions, experts in criminal investigative analysis should possess skills and knowledge greater than an average police officer. Yet, the necessary skills, scientific education, and expertise continue to spark debate among both researchers and practitioners.

Along this line, researchers examined the accuracy of offender profiling (i.e., creating unknown offender profiles) to determine whether profilers possess specific analytical attributes. The results indicated that profilers used specific skills, such as an educated insight into human behavior, knowledge of psychology, investigative experience, and objective and logical analysis, which allowed them to perform more accurately overall than the nonprofiler group. Such results are useful; however, these studies employed only staged profiling tasks to measure accuracy, rather than actual investigative case outcomes, so caution may be warranted. Furthermore, based upon the earlier contention that investigative experience is necessary for effective criminal investigative analysis, which would include offender profiling, a second study compared experienced homicide police detectives with students and other samples and found that the level of experience did not appear to impact the outcome of profiling tasks performed.

Complicating these debates, it has been contended that mental health professionals may not have the significant qualifications or expertise to provide criminal investigative analysis services. In stark contrast, it also has been contended that mental health professionals, such as forensic psychologists or psychiatrists, may be more proficient at identifying and inferring offender behavioral information from the crime. As such, no consensus exists as to whether mental health training alone is adequate or suitable for practicing criminal investigative analysis services.

Training

Specific knowledge, skills, and abilities are required for professionals in any field, whether in law enforcement, social sciences, or physical sciences. To this end, to become proficient in practicing criminal investigative analysis, training in this specialized methodology is required. However, the actual content and subject areas of this training remain both unclear and frequently debated. One researcher supports this contention by noting that training processes in this area have not been documented well in the existing literature.

"…the actual content and subject areas of this training remain both unclear and frequently debated."

In fact, this type of specialized training is not routinely provided to police agencies and, therefore, not typically included in training within law enforcement academies. Therefore, personnel who sometimes are asked to perform such analyses do not necessarily have adequate skills or experience to conduct such tasks. As with any discipline, additional problems can occur when training is

provided by personnel not qualified in the subject matter. The training and expertise of the instructor is of particular importance when teaching such specialized analytical methods. Nonetheless, courses providing the necessary advanced skills to enable an individual to competently practice such analyses are required.

Interestingly, one argument suggests that because law enforcement officers are exposed to crime and the criminal justice system, this would have some value on their ability to use the appropriate logic and objective reasoning to support better analysis of this type. This highlights the foundation of many debates surrounding training in criminal investigative analysis services because not everyone is specifically trained the same way, and not everyone possesses the same academic and experiential background. In an effort to examine at least some of these issues, the authors offer specific results of a recent study devoted to examining criminal investigative analysis and the necessary skills, training requirements, and expertise reported by actual practitioners of criminal investigative analysis.

RESEARCH STUDY These results constitute part of a larger study that examined current issues and debates surrounding the practice of criminal investigative analysis. For this effort a sample of 40 subjects, comprising retired FBI personnel, individuals who formerly worked with the FBI's practicing analysis unit, persons trained by the FBI, or FBI-trained individuals who have law enforcement experience in providing criminal investigative analysis services, were interviewed for this study. All of them provided informed consent.

Required Skills Respondents reported that the most essential required skill is not just law enforcement expertise but also experience in violent crime investigations. The respondents also indicated that those who practice this analysis should be knowledgeable of cognitive biases, research methodologies, and theories used and possess the ability to effectively communicate verbally and in writing. Specific training topics identified included forensic science, knowledge of specific types of crime, statement analysis, victimology, and interviewing. More general subject areas identified included psychology, criminology, and sociology as foundational academic training. One respondent highlighted the critical need for having experience as an all-around investigator.

Being an experienced investigator, having years of experience actually investigating cases...so you know the difficulties, you know the realities of what investigators are facing when they bring cases to you. Without that knowledge of how cases really work, and it isn't necessarily the academic issue, and crime analysis. It is understanding how police agencies work and the roadblocks and how you get things done and how you deal with a difficult prosecutor and…how you deal with someone who wants to be the lead investigator. Real-life questions that investigators have to deal with. If you haven't had to deal with these questions yourself, then you probably are not going to be very helpful.

Prerequisite Qualifications Of all essential training, when asked a follow-up question of what, if any, important prerequisite qualifications should be required, investigative experience was reported most often at 57.5 percent with the second-most reported being developing an analytical mind at 30 percent (see table 1). One interviewee offered insight.

Police are generally more apt to seek help from someone they can relate to, so when you can talk about *investigative experiences* with them and have an understanding of what they're doing in terms of their day-to-day activities, I think that is a real benefit.

Interestingly, 45 percent of participants indicated that a degree should not be required to practice criminal investigative analysis, but 40 percent said that it would be an asset to have an advanced degree. Even though 87.5 percent of the participants have advanced degrees themselves, 45 percent still believe that this practice can be done without a degree due to the

experiential knowledge that can be acquired in training and experiences outside of an academic institution.

Table 1

Prerequisite Qualifications Necessary to Practice Criminal Investigation Analysis

Prerequisite Qualification	*Number of Respondents*	*Valid Percent*
Investigative Experience	23	57.5
Analytical Mind	12	30.0
Violent Crime Inv. Experience	9	22.5
Other	6	15.0
Open-mindedness	4	10.0
Drive	4	10.0
Knowledge of Police Agencies	2	5.0
Emotional Detachment	2	5.0
Understanding Research	1	2.5

Note: Percentages do not total 100 percent due to multiple responses.

Open-ended questions related to specific courses important to an overall training program yielded the following topics: forensics, forensic pathology, psychology and human behavior, crime scene analysis, specific types of crime investigation and crime typologies, scientific methods and research, risk assessment, threat assessment, statement analysis, knowledge of evidence and legal issues, and interviewing skills and strategies. There also was clear evidence that any training should be a combination of classroom training and field mentoring by someone experienced in this form of analysis. A respondent explained the importance of on-the-job learning.

The more cases I worked, the more I started to feel more comfortable with it, and, so, in reality, the formal training that you can receive to become a profiler is not nearly as important as working the cases day in and day out and learning from a mentor, somebody who has been through the process before and has an impeccable reputation. That is how you become an analyst.

Ninety-five percent of the respondents also reported that training needs to stay in step with continuing education, whether it involves taking courses (85 percent), reading new knowledge and materials (47.5 percent), or performing additional case consultations (32.5 percent). It also was indicated that criminal investigative analysis training needs to be an ongoing process.

CONCLUSION The authors have illustrated how this specialized criminal investigative analysis process varies in its application and presented some specific types of required training and skills. The value of these findings lies not in the academic consideration of these issues, but in harnessing the perspectives of those who not only have been trained in criminal investigative analysis but who also have a long history of providing these services in case investigations.

Regarding the skills and training required, this work clearly provides some evidence to shed light on the debate as to whether any investigative experience is necessary. Or, can only academic training suffice? The interview results illustrate that *both* investigative experience

and formal training are essential to providing effective criminal investigative analysis services. Although the present study found investigative experience to be the most critical skill necessary to practice this analysis, logical and objective reasoning also were identified as important.

With that said, oftentimes, crime analysts or intelligence analysts are pressed into performing this type of behavioral analysis. Yet, many do not have adequate investigative experience and may have varying degrees of training in the application of this method. Does this affect the services provided? While this remains a debated question, the evidence from the experienced practitioners in the current sample would argue that investigative experience is of utmost importance, but academic and on-the-job training also can advance efforts in this area. Of course, it is noteworthy that the respondents in this study all had considerable experience themselves.

Perhaps, one solution to this and other issues pertaining to criminal investigative analysis can be found in the notion of creating a formal, standardized training process with the goal of licensing those who provide these services.[36] However, to do this, one researcher argues that criminal investigative analysis must become much more of a science than an art.[37] In contrast, others contend that criminal investigative analysis is a delicate combination of science and art that only investigative experience can appropriately balance to shed light on effective processes.

The next edition of the *FBI Law Enforcement Bulletin* will feature part three in this series. The third article will address the issue of measuring outcomes and usefulness of criminal investigative analysis with regard to assisting law enforcement agencies in responding to violence in their communities.

CRIMINAL INVESTIGATIVE ANALYSIS AUSTRALIAN PERSPECTIVE

Inferring the likely characteristics of an offender from analysis of their criminal behaviour is known as 'offender profiling'. It is perhaps the most sensationalised and poorly understood forensic application of behavioural science knowledge. Due to fictional accounts in movies and television, many people consider the practice of offender profiling to be synonymous with forensic psychology. Indeed, the national executive of the APS College of Forensic Psychologists routinely receives calls from people interested in becoming 'profilers'. This article serves to dispel many of the myths surrounding offender profiling by describing the range of behavioural investigative techniques, their use in the Australian context, and the role of psychology and psychologists in this often misunderstood field.

CRIMINAL INVESTIGATIVE ANALYSIS It is important to note that offender profiling is just one of a range of behavioural investigative techniques. Amongst the law enforcement community these tools are known collectively as 'criminal investigative analysis' (CIA). The various CIA techniques are interrelated but differ in the focus of their analysis. For example, 'indirect personality assessment' involves an assessment of an individual's personality without actually meeting the person. A common application is in criminal investigations, where evaluations of a suspect and their likely reaction to questioning are discerned from collateral information. 'Equivocal death analysis' is a focused form of psychological autopsy. It involves an opinion regarding the mode of death in unclear cases (i.e., accident, suicide, or homicide). This is based upon an evaluation of the deceased person's life and the manner in which they died. As the name suggests, 'linkage analysis' or 'comparative case analysis', involves an analysis of offence behaviours to determine whether a series of offences is likely to have been committed by the same offender. Other CIA activities include 'threat

assessment' and 'trial strategy'. Conceptual links between the various techniques are evident. They differ based on the information available and the eventual product of the analysis.

FORENSIC PSYCHOLOGY AND PROFILING AROUND THE WORLD

One of the most enduring myths regarding profiling is that forensic psychologists or psychiatrists are, by nature of their training, qualified to construct offender profiles. This belief has produced a great interest in forensic psychology as a specialisation within the behavioural sciences. As a result, some leading psychology and law programs in the United States have had to advertise that their syllabus will not develop such skills. Nonetheless, there is a kernel of truth behind the mythology, as some psychologists are involved in the area to varying degrees in different countries. Furthermore, the first people to be involved in profiling were forensic clinicians.

Despite the early influence of forensic mental health practitioners, the practice of profiling in North America has been dominated by the work of agents from the Federal Bureau of Investigation (FBI) since the 1970s. The American practice sees CIA as "a behavioural approach to the offence from a law enforcement perspective, as opposed to a mental health viewpoint" (Munn, 1992, p. 310). It is acknowledged that the techniques draw upon the knowledge base of the behavioural sciences, but with a focus on being relevant to investigators. For example, the motivational typology of rapists utilised by FBI analysts is based upon a clinical typology. Similarly, equivocal death analysis is based upon the psychological autopsy. FBI analysts build upon these theories and techniques to apply them more readily to the needs of police investigators.

In contrast to the American approach, offender profiling in the United Kingdom has been dominated by the work of psychologists. As is the case in most fields involving psychologists, there has been an often heated division between clinicians and academics who previously provided profiles on an ad-hoc basis. However, there have been recent moves towards a greater synergy between these two camps. Operational profiling in the United Kingdom is now conducted under the authority of the National Crime and Operations Faculty (NCOF). Practitioners are known as Behavioural Investigative Advisors (BIA). There are five full-time BIAs in the NCOF with psychology and police backgrounds. There are also more than 30 external consultants that are subject to audit and evaluation. The NCOF have nursed extensive links with the FBI and academic institutions.

Perhaps due to the greater presence of psychologists in British profiling, there has been a strong focus on academic research. The bulk of such work has come from the Centre for Investigative Psychology (CIP) at the University of Liverpool. The CIP is directed by Professor David Canter, who describes investigative psychology as "a framework for the integration of many diverse aspects of psychology into all areas of police and related investigations" (Canter & Youngs, 2003, p. 175). The CIP is involved in numerous research projects and provides training at both Masters and PhD levels. Some NCOF staff have obtained degrees in investigative psychology, demonstrating the desired synergy between the academic and practitioner sides of this field.

PROFILING IN AUSTRALIA AND THE ROLE OF PSYCHOLOGISTS

Offender profiling in Australia has largely followed the American model, envisaging CIA as a police investigative tool. In the 1980s, two Australian police officers were trained by the FBI as part of the now defunct police fellowship program. The original 33 graduates of this program later developed, with the FBI, the International Criminal Investigative Analysis Fellowship (ICIAF). This organisation provides FBI-approved training in CIA to police officers worldwide who must pass a rigorous program of casework and examination.

Furthermore, the ICIAF also allows for non-police professionals to be elected to membership in recognition of their contribution to cases. Currently in Australia there are four police ICIAF members (three of whom are still employed by police services) and one psychologist.

The role of psychologists in Australian CIA practice has been elevated by work in the state of Victoria. The second author of this article is officer in charge of the Victoria Police Behavioural Analysis Unit (BAU). During her four years of training with the ICIAF she made contact with professionals in various forensic disciplines, and would consult them when it was felt that additional specialist advice was required. The logical extension of this process was the development of the Australian Forensic Reference Group (AFRG), a formalised consultancy group to assist the BAU. Gathering a range of disciplines to one meeting not only offers the benefit of saving time when several professionals need to be consulted, but more importantly, it facilitates a synergy between the disciplines, where new explanations for physical evidence from a pathologist can be incorporated into the reasoning of a psychologist. As such, the whole is potentially more valuable than the sum of the parts.

AFRG membership includes professionals both external and internal to Victoria Police. The group is concerned primarily with solving serious serial crime, particularly that with a sexual and/or violent nature. This focus was chosen because even though serial offenders constitute a small minority of the offender population, they also tend to offend prolifically and are thus responsible for a significant proportion of overall crime. To illustrate this, figures from the national Violent Crime Linkage Analysis System (ViCLAS), have shown that in more than 6000 Australian cases, 39 per cent of offenders committed 61 per cent of the offences (Bennett & Davis, 2004).

Such a group had never been formed before anywhere in Australia, or to our knowledge the world. Though recourse to external consultancy is not by any means a recent phenomenon in policing, cursory national and international comparisons have revealed that a structured, regulated collection of forensic expertise such as that represented by AFRG is at the forefront of developments in serial crime investigation. Membership includes experts from a range of disciplines, including forensic psychologists, psychiatrists, pathologists, anthropologists, biologists, toxicologists, technicians and specialist police personnel. Unsurprisingly, psychologists are prominent in AFRG meetings. Thus far, feedback from detectives that have requested the services of AFRG has been positive.

The Victoria Police BAU has also been involved in research, in collaboration with psychologists, to validate the American knowledge base for use in the Australian context. There is a paucity of research on Australian offence data. The first project to emanate from the BAU involved a test of the key distinction between anger and power motivated behaviours in sexual assaults (Bennett, 2005; Bennett et al., in prep). The offence behaviours from 200 Australian rape cases, chosen by stratified random sampling across states, were coded based upon variables described in ICIAF training documents. Multivariate analyses indicated that the FBI typology did have validity with Australian offences. Further research is currently being planned and there has been interest in the results from CIA practitioners overseas.

CONCLUSION

Contrary to public perceptions, offender profiling and the wider field of CIA is not synonymous with forensic psychology. Indeed, few forensic psychologists are currently involved in providing behavioural investigative advice. Nonetheless, the field is grounded in the knowledge base of behavioural science. In Australia, the interface between psychologists and CIA practitioners has been greatly enhanced by initiatives of the Victoria Police Behavioural Analysis Unit, including the Australian Forensic Reference Group and academic

research. Further collaboration between the disciplines is likely to occur as behaviour analysts request more advice and require greater empirical justification for their opinions. However, this is dependent upon psychologists providing advice that is relevant to police investigations.

Michael Davis is National Secretary of the APS College of Forensic Psychologists. Deb Bennett is currently undertaking a Doctorate in clinical-forensic psychology at Monash University. Further information about this article can be sought from Michael Davis .

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FORENSIC SCIENCE

Medical Definition of *forensic science*

The application of scientific principles and techniques to matters of criminal justice especially as relating to the collection, examination, and analysis of physical evidence

While investigating a homicide, Mike carefully dusts a window for fingerprints. As the black powder is spread across the glass, a faint fingerprint begins to appear. Mike carefully lifts the print and takes it back to the lab. When the fingerprint is entered into the computer, a possible match is identified, and the suspect is picked up for questioning. When the suspect is asked how his fingerprints could have ended up at the crime scene, he confesses to the murder. This is an example of using **forensic science** to solve a crime.

Smartphones can be a great source of fingerprints.

The simplest definition of **forensic science** is any science used within the criminal justice system. While this definition may be simple, the field of forensic science is anything but. Crime scene investigators and lab technicians use specialized skills and tools to collect, analyze, and present evidence in order to solve a crime or successfully convict the offender. The increased use of scientific methods to collect and examine evidence has lead to the closure of many criminal cases that could not be solved through old-fashioned detective work alone. New testing methods are even being applied to **cold cases**, or cases from many years ago that remain unsolved.

Forensic science can be used to:

- Prove elements of a crime
- Verify or discredit victim or suspect statements
- Identify decedents or suspects
- Establish a connection to a crime or crime scene

Shoe prints confirm the presence of the suspect and can be used to identify them.

History of Forensic Science

Medical exams to determine cause of death have been used for centuries, but the use of science to investigate crimes and identify criminals began in the mid to late 1800's. The first attempt to document the identity of offenders was called **anthropometry**, which consisted of measuring and documenting the offender's body (head, ears, fingers, etc.). By keeping these records, repeat offenders could be identified, even if they gave a false name. It was soon discovered that due to similar characteristics and measurement errors, this method was not as reliable as was hoped. This method was replaced by **dactylography**, or the use of fingerprints for identification. Because everyone (including identical twins) has different fingerprints, this method has been extremely successful and is still in use today.

The next major advancement in forensic science did not occur until the 1980's when scientists were able to decode human **deoxyribonucleic acid (DNA)**. This allowed for the identification of a suspect through hair, skin cells, saliva, blood and semen. DNA has become a reliable way to connect a suspect with a crime scene and to identify human remains. As this science progresses, new collection and testing methods have allowed investigators to get useful DNA samples from very small or degraded specimens.

Forensic science is not only used to identify people, but also to locate or recreate a crime scene. Chemicals such as **Luminol** and **Hemident** have been developed to identify blood in a crime scene, even if it has been cleaned.

Luminol will glow when it comes in contact with blood or other bodily fluids.

Once the blood is located, **blood spatter analysis** can be conducted to recreate the scene. Based on the size and shape of a drop of blood, investigators can determine which direction the droplets were traveling or how far the drops fell before hitting the floor. Information from several drops of blood can be used to locate where the victim or suspect was standing when the blood hit the floor.

Science has also been an effective way to link a piece of evidence to its source. We can match a bullet to the gun it was fired from or match a piece of tape from the scene to the original roll from which it was torn. This is done using microscopic evaluation of the item. Every gun will leave different grooves on a bullet that passes through it. A piece of tape ripped from the roll or a piece of rope cut from the source can be matched when examined under magnification. The role of science in the criminal justice system is increasing every day and will likely continue to increase in the future.

DIGITAL FORENSIC

Digital forensics (sometimes known as **digital forensic science**) is a branch of forensic science encompassing the recovery and investigation of material found in digital devices, often in relation to computer crime. The term digital forensics was originally used as a synonym for computer forensics but has expanded to cover investigation of all devices capable of storing digital data. With roots in the personal computing revolution of the late 1970s and early 1980s, the discipline evolved in a haphazard manner during the 1990s, and it was not until the early 21st century that national policies emerged.

Digital forensics investigations have a variety of applications. The most common is to support or refute a hypothesis before criminal or civil (as part of the electronic discovery process) courts. Forensics may also feature in the private sector; such as during internal corporate investigations or intrusion investigation (a specialist probe into the nature and extent of an unauthorized network intrusion).

The technical aspect of an investigation is divided into several sub-branches, relating to the type of digital devices involved; computer forensics, network forensics, forensic data analysis and mobile device forensics. The typical forensic process encompasses the seizure, forensic imaging (acquisition) and analysis of digital media and the production of a report into collected evidence. As well as identifying direct evidence of a crime, digital forensics can be used to attribute evidence to specific suspects, confirm alibis or statements, determine intent, identify sources (for example, in copyright cases), or authenticate documents. Investigations are much broader in scope than other areas of forensic analysis (where the usual aim is to provide answers to a series of simpler questions) often involving complex time-lines or hypotheses.

INTERNATIONAL POLICING CRIMINAL JUSTICE MONITORING ORGANIZATIONS

UNODC:

The United Nations Office on Drugs and Crime (UNODC) (in French Office des Nations unies contre la drogue et le crime) is a United Nations office that was established in 1997 as the Office for Drug Control and Crime Prevention by combining the United Nations International Drug Control Program (UNDCP) and the Crime Prevention and Criminal Justice Division in the United Nations Office at Vienna. It is a member of the United Nations Development Group and was renamed the United Nations Office on Drugs and Crime in 2002. In 2016 - 2017 it has an estimated biannual budget of US$700 million.

Abbreviation: UNODC

Formation: 1997

Type: Agency

Legal status: Active

Head Executive Director: Yuri Fedotov

Parent organization: United Nations

ORGANIZATIONAL STRUCTURE

The agency, employing between 1,500 and 2,000 people worldwide, has its headquarters in Vienna (Austria), with 21 field offices and two liaison offices in Brussels and in New York City. The United Nations Secretary-General appoints the agency's Executive Director. Yuri Fedotov, the former Russian Ambassador to the United Kingdom, has held this position since his appointment in 2010, when he succeeded Antonio Maria Costa in his personal capacity, and also as Director-General of the United Nations Office at Vienna.

The office aims long-term to better equip governments to handle drug-, crime-, terrorism-, and corruption-related issues, to maximise knowledge on these issues among governmental institutions and agencies, and also to maximise awareness of said matters in public opinion, globally, nationally and at community level. Approximately 90% of the Office's funding comes from voluntary contributions, mainly from governments.

UNODC incorporates the secretariat of the International Narcotics Control Board

Aims and functions

UNODC was established to assist the UN in better addressing a coordinated, comprehensive response to the interrelated issues of illicit trafficking in and abuse of drugs, crime prevention and criminal justice, international terrorism, and political corruption. These goals are pursued through three primary functions: research, guidance and support to governments in the adoption and implementation of various crime-, drug-, terrorism-, and corruption-related conventions, treaties and protocols, as well as technical/financial assistance to said governments to face their respective situations and challenges in these fields.

These are the main themes that UNODC deals with: Alternative Development, Corruption, Criminal Justice, Prison Reform and Crime Prevention, Drug Prevention, -Treatment and Care, HIV and AIDS, Human Trafficking and Migrant Smuggling, Money Laundering, Organized Crime, Piracy, Terrorism Prevention.

Campaigns

UNODC launches campaigns to raise awareness of drugs and crime problems. On 26 June every year, UNODC marks the International Day against Drug Abuse and Illicit Trafficking. On 9 December every year, UNODC commemorates the International Anti-Corruption Day.

"Do Drugs control your life"? – World Drug Campaign

The United Nations Office on Drugs and Crime (UNODC) started this international campaign to raise awareness about the major challenge that illicit drugs represent to society as a whole, and especially to the young. The goal of the campaign is to mobilize support and to inspire people to act against drug abuse and trafficking. The campaign encourages young people to put their health first and not to take drugs.[11]

"Your No Counts" – International Anti-Corruption Campaign

The United Nations Office on Drugs and Crime (UNODC) has teamed up with the United Nations Development Program (UNDP) to run this campaign as a focus on how corruption hinders efforts to achieve the internationally agreed upon MDGs, undermines democracy and the rule of law, leads to human rights violations, distorts markets, erodes quality of life and allows organized crime, terrorism and other threats to human security to flourish.

"Think AIDS" – World AIDS Campaign

Young people aged 15 to 24 account for an estimated 40 per cent of new adult (15+) HIV infections worldwide. In some parts of the world, and in some marginalized sub-groups, the most frequent modes of HIV transmission for these young people are unsafe injecting drug use and unsafe sexual activities.

Because young people are also often more likely to use drugs, The United Nations Office on Drugs and Crime (UNODC) targets this population with a campaign to raise awareness about drug use and its connection to the spread of HIV and AIDS. The slogan: "Think Before You Start ... Before You Shoot ... Before You Share" is used to provoke young people to consider the implications of using drugs, and particularly injecting drugs.

Blue Heart Campaign Against Human Trafficking

The Blue Heart Campaign seeks to encourage involvement and action to help stop trafficking in persons. The campaign also allows people to show solidarity with the victims of human trafficking by wearing the Blue Heart. The use of the blue UN colour demonstrates the commitment of the United Nations to combat this crime.

Criticism In 2007, the five largest donors to UNODC's budget in descending order were: European Union, Canada, United States, the UN itself, and Sweden. According to the Transnational Institute this explains why, until recently, UNODC did not promote harm reduction policies like needle exchange and Heroin-assisted treatment. (This despite the actions of United Nations bodies (i.e. WHO and UNAIDS), who support these policies.) UNODC promotes other methods for drug use prevention, treatment and care that UNODC sees as "based on scientific evidence and on ethical standards". The UNODC has been

criticized by human rights organizations such as Amnesty international for not promoting the inclusion of adherence to international human rights standards within its project in Iran. Amnesty states that in Iran there are "serious concerns regarding unfair trials and executions of those suspected of drug offences in Iran.

Controversy In June 2012, Mohammad Reza Rahimi the Iranian Vice President made some controversial remarks during a speech at a UNODC Drugs and Crime conference in Tehran.

"The Islamic Republic of Iran will pay for anybody who can research and find one single Zionist who is an addict. They do not exist," he said. "This is the proof of their involvement in drugs trade."

He then went on to blame the Talmud, a key Jewish religious text, for the expansion of illegal drugs around the world and said that it teaches to "destroy everyone who opposes the Jews."

Rahimi was widely condemned for his controversial remarks:

European Union High Representative of the Union for Foreign Affairs and Security Policy Catherine Ashton called his remarks "unacceptable" and reaffirmed the European Union's "absolute commitment to combating racism and anti-Semitism." Ashton went on to say that "the High Representative is deeply disturbed by racist and anti-Semitic statements made by Iranian First Vice President Mohammed Reza Rahimi at the U.N. International Day against Drug Abuse".

The UN Secretary-General Ban Ki-moon issued a statement saying that he had "...on many occasions called on Iranian officials to refrain from these kinds of anti-Semitic statements...[and] believes it is the responsibility of leaders to promote harmony and understanding and he deeply regrets expressions of hatred and religious intolerance."[22]

The Minister for Middle East in the UK Alastair Burt said "We condemn utterly the baseless comments from Iran's Vice-President Rahimi about the Talmud and the Jewish faith, made at a United Nations drugs control event in Tehran this week. Racism and anti-semitism are unacceptable in any circumstance, let alone at an event sponsored by the United Nations. We call upon Iran to correct this scandalous statement, and to ensure that its officials respect the proper international norms and standards in the future."

Israeli Foreign Minister Avigdor Lieberman said that "Israel would not allow any Jew to be harmed.

EUROPOL

INTRODUCTION

Europol is the European Union law enforcement organisation that handles criminal intelligence. Its mission is to assist the law enforcement authorities of Member States in their fight against serious forms of organised crime. Europol, in close co-operation with Member States, Candidate Countries and other law enforcement bodies, is actively involved in the fight against organised crime whilst maintaining full respect for individual integrity and human rights. The Europol Convention states that Europol shall establish and maintain a computerised system to allow the input, access and analysis of data. The Convention also provides the legal framework for the management of these systems, in particular as regards data protection, confidentiality and external supervision. The Europol computerised system has three principal components**: - An information system;** - **An analysis system;** - **An index system**. In addition to the above systems aimed at processing personal data, Europol is developing and managing many more information products and services, either as part of or in support of its core business. In order to fight international organised crime effectively, Europol cooperates with a number of third countries and organisations. On the basis of agreements concluded in accordance with the Europol Convention, particularly close cooperation exists with a number of third countries and organisations as follows (in alphabetical order): Albania, Australia, Bosnia and Herzegovina, Canada, CEPOL, Colombia, Croatia, Eurojust, European Central Bank, European Commission, European Monitoring Centre for Drugs and Drug Addiction, Former Yugoslav Republic of Macedonia, Frontex, Iceland, Interpol, Moldova, Norway, OLAF, Russian Federation, Switzerland, SITCEN, Turkey, United Nations Office on Drugs and Crime, USA, World Customs Organisation.

Europol is the **European Union's law enforcement agency** whose main goal is to help achieve a **safer Europe** for the benefit of all EU citizens. We do this by assisting the European Union's Member States in their fight against serious international crime and terrorism.

Large–scale criminal and terrorist networks pose a significant threat to the internal security of the EU and to the safety and livelihood of its people. The biggest security threats come from terrorism, international drug trafficking and money laundering, organised fraud, counterfeiting of the euro currency, and people smuggling. But new dangers are also accumulating, in the form of cybercrime, trafficking in human beings, and other modern-day threats. This is a multi–billion euro business, quick to adapt to new opportunities and resilient in the face of traditional law enforcement measures.

1) Europol headquarters in The Hague, the Netherlands
2) working closely with law enforcement agencies in the 28 EU Member States and in other non-EU partner states and organisations
3) more than 900 staff
4) 185 Europol Liaison Officers (ELOs)
5) around 100 criminal analysts
6) over 18 000 cross–border investigations each year
7) support centre for law enforcement operations
8) hub for criminal information and organisations
9) centre for law enforcement expertise
10) one of the largest concentrations of analytical capability in the EU
11) produces regular assessments and reports

12) high-security, 24/7 operational centre
13) central platform for law enforcement experts from the European Union countries

HISTORY

Europol has its origins in TREVI, a forum for internal security cooperation amongst EEC/EC interior and justice ministers created in 1975 and active until the Maastricht Treaty came into effect in 1993.

Germany, with its federal organisation of police forces, had long been in favour of a supranational police organisation at EC level. It tabled a surprise proposal to establish a European Police Office to the European Council meeting in Luxembourg in June 1991. By that December, the Intergovernmental Conference was coming to an end and the member states had pledged themselves to establishing Europol through Article K.1 of the Maastricht Treaty. Europol was given the modest role of establishing 'a Union-wide system for exchanging information' amongst EU police forces.

Delays in ratifying the Maastricht Treaty led to TREVI ministers agreeing a "Ministerial Agreement on the Europol Drugs Unit" in June 1993. This intergovernmental agreement, outside of EU law, led to the establishment of a small team headed by Jürgen Storbeck, a senior German police officer who initially operated from some temporary cabins in a Strasbourg suburb (shared with personnel of the Schengen Information System) while more permanent arrangements were made.

Once the Maastricht Treaty had come into effect, the slow process of negotiating and ratifying a Europol Convention began. In the meantime, the Europol Drugs Unit (EDU) had its powers extended twice, in March 1995 and again in December 1996 to include a range of trafficking offences in its remit. During this period, information amongst officers could only be exchanged bilaterally, with a central database to be established once the Europol Convention was ratified. The Europol Convention finally came into effect in October 1998 after ratification by all 15 EU national parliaments though some outstanding legal issues (primarily data protection supervision and judicial supervision) ensured it could not formally take up duties until July 1999.

The Europol Convention was superseded by the Council Decision of 6 April 2009 establishing the European Police Office (Europol), converting Europol into a formal EU agency as well as increasing some of its powers. The European Parliament was given more control over Europol by the Council Decision as well.

The establishment of Europol was agreed to in the 1992 Maastricht Treaty, officially known as the Treaty on European Union (TEU) that came into effect in November 1993. The agency started limited operations on 3 January 1994, as the Europol Drugs Unit (EDU). The Europol Convention was signed on 26 July 1995, and came into force in October 1998 after being ratified by all the member states. Europol commenced its full activities on 1 July 1999. Europol came under the EU's competence with the Lisbon Treaty and the Convention was replaced by a Council Decision in 2009. It was reformed as a full EU agency on 1 January 2010. This gave Europol increased powers to collect criminal information and European Parliament more control over Europol activities and budget.

UNAFEI

The United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) is a United Nations regional institute, established in 1962 by agreement between the United Nations and the Government of Japan, with the aim of promoting the sound development of criminal justice systems and mutual cooperation in Asia and the Pacific Region.

UNAFEI activities include training courses and seminars for personnel in crime prevention and criminal justice administration, and the research and study of crime prevention and the treatment of offenders. It also conducts special seminars outside of Japan.

UNAFEI annually organizes two international training courses and one international seminar. Participants represent mainly Asia and the Pacific Region, but some come from other regions of the world such as Africa and Latin America. This program contributes significantly to the training of personnel in criminal justice, and to providing ideas and knowledge for effective measures to combat crime in developing nations. For over 50 years, UNAFEI's efforts in training personnel have helped those individuals play leading roles in the criminal justice administration of their respective countries.

Organisation

In 1970, the Government of Japan assumed full administration of UNAFEI in terms of finance and personnel. The United Nations Training Cooperation Department in the Ministry of Justice is in charge of its administration. Since UNAFEI is still affiliated with the United Nations, it submits an annual report to the Secretary-General of the United Nations, and the Director of UNAFEI is assigned in consultation with the United Nations.

Customarily, the Director of the United Nations Training Cooperation Department in the Research and Training Institute of the Ministry of Justice serves as the Director of UNAFEI. The Deputy Director and the professors are selected from among public prosecutors, judges, correctional officers and probation officers. In addition, there are approximately 20 administrative officers and a linguistic adviser, who is a native English speaker.

UNICEF

United Nations Children's Fund

Abbreviation: UNICEF

Established: Dcember 11, 1946; 69 years ago

Headquarters: New York

President: Sven Jürgenson

Executive Director: Anthony Lake

Parent organization: United Nations Economic and Social Council

Affiliations: United Nations

Revenue: $3,372,540,239

The United Nations Children's Fund is a United Nations (UN) programme headquartered in New York City that provides humanitarian and developmental assistance to children and mothers in developing countries. It is one of the members of the United Nations Development Group and its executive committee.

UNICEF was created by the United Nations General Assembly on 11 December 1946, to provide emergency food and healthcare to children in countries that had been devastated by World War II. The Polish physician Ludwik Rajchman is widely regarded as the founder of UNICEF and served as its first chairman from 1946. On Rajchman's suggestion, the American Maurice Pate was appointed its first executive director, serving from 1947 until his death in 1965.In 1953, UNICEF's mandate was extended to address the needs of children in the developing world and became a permanent part of the United Nations System. At that time, the words "international" and "emergency" were dropped from the organization's name, making it simply the United Nations Children's Fund, or popularly known as "UNICEF".

UNICEF relies on contributions from governments and private donors, UNICEF's total income for 2008 was US$3,372,540,239.Governments contribute two-thirds of the organization's resources. Private groups and some six million individuals contribute the rest through national committees. It is estimated that 92 per cent of UNICEF revenue is distributed to programme services.UNICEF's programmes emphasize developing community-level services to promote the health and well-being of children. UNICEF was awarded the Nobel Peace Prize in 1965 and the Prince of Asturias Award of Concord in 2006.

Most of UNICEF's work is in the field, with staff in over 190 countries and territories. More than 200 country offices carry out UNICEF's mission through programmes developed with host governments. Seven regional offices provide technical assistance to country offices as needed.

UNICEF's Supply Division is based in Copenhagen and serves as the primary point of distribution for such essential items as vaccines, antiretroviral medicines for children and mothers with HIV, nutritional supplements, emergency shelters, family reunification,and educational supplies. A 36 member executive board establishes policies, approves programmes and oversees administrative and financial plans. The executive board is made up of government representatives who are elected by the United Nations Economic and Social Council, usually for three-year terms.

IPA

The International Police Association (IPA) is the largest organisation for police officers in the world, founded by British sergeant Arthur Troop (1914–2000). The Association has 64 national Sections and over 420,000 members and associate members.

The International Police Association was founded on 1 January 1950 under the Esperanto motto on its emblem, Servo per Amikeco (Service through Friendship), to create friendly links and encourage cooperation between individual police officers around the world. It organizes participation in international, national and local professional, cultural and social events and offers opportunities for professional development in its educational facility, IBZ Gimborn (Germany) www.ibz-gimborn.de, with funding for individual members through the Arthur Troop Scholarship. It also offers exchange of best practice and topics faced by the police in today's world by attending World Seminars, in particular for young police officers and professional Police exchange programmes, emergency aid for disasters, coordinated by the International Social Commission and accommodation opportunities in more than 70 IPA Houses established in more than 20 countries. The IPA organises the International Youth Gatherings for children of IPA members aged 16-17 in a different country each year. The IPA has 5 international commissions, each chaired by a member of the Permanent Executive Board and with members from various countries around the world. The External Relations Commission provides liaison officers at various UN, European and American organisations. The International Cultural Commission looks after the cultural events and competitions, runs the International Youth Gathering amongst its tasks. The International Professional Commission runs the police placement programme, the Arthur Troop Scholarship, Young Officers' Seminars and carries out professional surveys. The International Social Commission looks after emergency and humanitarian aid to members following natural disasters, looks after IPA houses and coordinates social and sporting events, as well as youth holiday exchanges. The International Internal Commission is responsible for maintaining and revising the international rules and statute of the Association. The main offices of the organization (IAC) are at Nottingham.

HISTORY:

The IPA - the largest police organisation in the World - was founded on 1 January 1950. Since that time, its Esperanto motto "Servo per Amikeco" (Service through Friendship) has reached more people than could have been imagined.

The Association was formed because a police sergeant from Lincolnshire, England, Arthur Troop, wanted to create a channel for friendship and international co-operation amongst police officers. With the help of early pioneers he helped to found other national sections in Western Europe, Africa, America (north and south), Asia and Australasia. In 1955, at the first International Executive Committee meeting in Paris, he became the first International Secretary General, a post he held until 1966.

In the Queen's Birthday Honours List of 1965 Arthur Troop was awarded the British Empire Medal for his work in founding the IPA. At the 26th IEC Conference in Vienna, in 1995, he was awarded the IPA World Police Prize. The association's 50th Anniversary World Congress was held in Bournemouth in May 2000.

TERRORISM IN PAKISTAN: ITS CAUSES, IMPACTS AND REMEDIES

Introduction
What Is Terrorism
Islam's Response To Terrorism:
Causes Of Terrorism:

1. Internal Causes

a) Socio-Economic Causes
i) Injustice:
ii) Illiteracy:
iii) Poverty And Unemployment:
iv) Food Insecurity:
v) Dissatisfaction:

b) Political Causes:
i) Non-Democratic Set-Up:
ii) Improper Government Set-Up
iii) Absence Of Law And Failure Of Law Enforcement Agencies:

c) Religious Causes:
i) Role Of Madrassahs:
ii) Religious Intolerance:

2. External Causes
a) Afghan War: 1979
b) Iranian Revolution:
c) War On Terrorism: 9/11

• **Factors Boosting Terrorism:**
a) Anti-Terrorism Campaign And Drone Strikes:
b) Negligence Of Government:
c) Persecution Of Innocent Muslims In Kashmir And Palestine:

• **Steps Taken By Pakistan:**
a) Ban On Terrorist Organisation
b) Operation Rah-E-Nijat
c) Operation Rah-E-Rast

• **Impacts Of Terrorism:**

a) Civilian Loss

b) Economic Cost Of Terrorism:
i) Agriculture Loss:
ii) Manufacturing Cost:
iii) Declining Foreign Direct Investment:
iv) Diminishing Tourism:
v) Internally Displaced People/internal Migration

c) **Social Impacts;**

d) Political Impacts:

e) Psychological Impacts:

f) Religious Impacts:

Remedies

Conclusion

At present the gravest problem that Pakistan is faces is terrorism. It has become a headache for federation and a nightmare for public. Though, it is a global issue but Pakistan has to bear the brunt of it. Pakistan's involvement in the War on Terror has further fuelled the fire. We are facing war like situation against the terrorists. This daunting situation is caused due to several factors. These factors include social injustice, economic disparity, political instability, religious intolerance and also external hands or international conspiracies. A handful of people who have their vicious interests to fulfil have not only taken countless innocent lives but also distorted the real image of Islam before the world through their heinous acts. Terrorist acts like suicide bombings have become a norm of the day. On account of these attacks Pakistan is suffering from ineffaceable loss ranging from civilian to economic. People have become numerical figures, blown up in numbers every now and then. Terrorists have not spared any place. Bazars, mosques, educational institutes, offices, hotels, no place is safe anymore.

Though terrorism has no accepted **definition,** yet it can be defined as the use of violence and intimidation in the pursuit of political aim or the calculated use of violence or threat of violence against civilians in order to attain goals that are political or religious or ideological in nature, this is done through intimidation or coercion or inciting fear. According to FBI's definition, Terrorism is the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objective.

The **religion of Islam** (Submission), advocates freedom, peace and mutual agreement and admonishes aggression. The following verses make it very clear.

"And do not aggress; GOD dislikes the aggressors". (Quran 5:87)

"You shall resort to pardon, advocate tolerance, and disregard the ignorant". (Quran: 7:199)

The relations of Muslims (Submitters) with others are based primarily on peace, mutual respect and trust. The theme in the Quran is peace, unless there is oppression or injustice that cannot be resolved by all the peaceful means available. The true religion of Islam forbids the killing of innocent people, irrespective of the cause, religious, political or social beliefs.

"...You shall not kill * GOD has made life sacred * except in the course of justice. These are His commandments to you that you may understand." (Quran 6:151)

"You shall not kill any person * for GOD has made life sacred — except in the course of justice." (Quran17:33)

In Islam, an amazingly powerful emphasis is laid on developing love for mankind and on the vital importance of showing mercy and sympathy towards every creature of Allah Almighty, including human beings and animals. For indeed, love and true sympathy is the very antidote

of terrorism.

Injustice is one of the foremost factors that breed terrorism. When the grievances of the people are not redressed they resort to violent actions. So this is the case with Pakistan where timely justice has always been a far cry. Hence, the delayed justice is working as incentive for victims and dragging them to the swamp of terrorist organisations.

Illiteracy is the root causes of extremism and terrorism. More than one in five men aged 15 to 24 unable to read or write, and only one in 20 is in tertiary education. such a high illiteracy rate has made Pakistan vulnerable to terrorism. furthermore, technical and vocational education, and adult literacy, are especially important but unfortunately have been neglected the most in Baluchistan, Khyber Pukhtunkhwa and the Tribal Areas. Illiteracy and lack of skills provide fertile ground for those who wish to recruit young men and women to their cause, especially when significant monetary payments are attached.

Regarding **poverty**, it is also an incubating cause of terrorism. And it is said that "a hungry man is an angry man." Notably, majority of people in Pakistan are living below poverty line. While especially for the youngsters, unemployment has made the matter worse. In these adverse circumstances, some people go to the level of extremism and even commit suicide. These are the people whose services are hired by the terrorist groups and they become easy prey to terrorism.

Food insecurity is also linked with militancy and violence. When people remain unable to afford food and cannot meet their basic needs civil strife grows. A report by the Islamabad-based Sustainable Development Policy Institute The highest levels of food insecurity, for instance, exist in the Federally Administered Tribal Areas, according to the report, where 67.7 per cent of the people are insecure. The next highest level is in Baluchistan, with food insecurity at 61.2 per cent, and then in Khyber-Pukhtunkhwa, 56.2 per cent. In Pakistan some extremist forces are exploiting the feelings of lower and lower middle class food insecure people. They are motivating their unemployed youth to commit heinous crimes such as suicide attacks against innocent people.

Another reason of terrorism is **dissatisfaction**. When a person is dissatisfied with the rulers and thinks that his rights are being humiliated or exiled, his living of life has not been compensated, he is deprived of rightful inheritance to office, wrongly imprisoned and property confiscated then he joins some religious parties. It does not matter which organisation it would be. None of the organisations has any importance for him. Adopting an organisation would only save him from the critical situation he is in and leaves him to play in the hands of his so-called leaders who destroy his public sense of security.

Today's Pakistan is facing **democratic turmoil**. A path chartered by the military regime of Ayub Khan, Yahya Khan then of Zia-ul-Haq was altered by yet another military regime that of Musharraf. All these regimes produced political instability, poor governance, institutional paralysis, by passing the rule of law, socio-economic downfall and so on. These fragile conditions along with deteriorating law and order situation have provided a fertile ground for terrorism to grow.

Furthermore, **lack of proper government set-up** and lack of coordination and information sharing between various institutions of government is also a cause of behind the escalating terrorist activities. Not to talk of providing security to common people, our law enforcing agencies (LEAs) have completely failed to protect high officials of the country. In the

absence of law and proper trial the terrorists are entrenching their roots firmly. **Failure of the (LAEs)** to bring the terrorist to book has emboldened terror mongers to strike at a target of their choice at will. Schools, hospitals, markets and places of worship have become their favourite targets.

Religion became the dominant force during the Zia regime when the Islamization of laws and education became a state policy. And the Islamic legislation was promulgated and a number of Islamic enactments were made, including the Hudood and blasphemy laws. One may also mention the vital role of the jihadis in their fight against the Soviet military occupation with the American support, as well as the generous patronage extended by the government to the religious parties and groups. It may be added that various religious groups benefited from the support they received from abroad, in particular from Saudi Arabia and Iran.

Religious Madrassah is not something new for the Islam or our country. But after Russian attack on Afghanistan it took a new dimension. They were being used as recruitment centres for jihadis. Thousands of Mujahedeen were trained and sent to Afghanistan for so-called jihad. After the fall of Russia, a sizeable number of the jihadis who returned to Pakistan got involved in terrorist activities.

Religious intolerance is another factor which is adding fuel to the fire of terrorism. youth, educated through religious Madrassahs, are indoctrinated with extreme ideas. They become intolerant towards other religions and even other sects of their own religion. They impose their own extreme ideas and vent their fanaticism thorough violent actions. Intolerance makes society jungle. It is proving destructive phenomenon for social harmony, political stability, and economic growth.

The soviet Afghanistan war was the most critical event responsible for spreading militancy and intolerance in Pakistan. A fundamental change that altered the very character of Pakistani society occurred after establishment of the soviet backed communist regime in Afghanistan. The aftermath of the soviet withdrawal exposed the damage, transformation of violence and Weaponisation into Pakistani society. It ultimately plagued Pakistan with a new trend commonly referred as **"Kalashnikov Culture" and "Talbanisation".** This was perhaps an end to our long established pluralistic culture and values. Result was a wave of vicious cycle of Sectarian and Inter-sect and Interfaith violence/terrorism.

Religious extremism that took its roots in Pakistan after the **Islamic Revolution in Iran in 1979** has proved venomous for Pakistan. The increased danger of sectarian motivated acts of violence, have gained in power and influence over the recent past. External as well as internal influences have impacted the sectarian issues and have served to further intensify the magnitude and seriousness of the problem. Sectarian violence, therefore, was an extremely rare and unheard of phenomenon in Pakistan with sectarian disputes being very localized and confined rather than being frequent and widespread.

This religious extremism took a new shape of **terrorism after 9/11**. After the incident of 9/11 suicide bombing in Pakistan has become a norm of the day. The American invasion and occupation of Afghanistan, as well as the military operation in Pakistan, along with the American drone attacks, have served to fuel religious radicalism leading to violent reaction. The breakdown of state structures in Afghanistan created a void which was quickly filled by groups and individuals who took it upon themselves to continue the lost battle. Some of them also intruded into Pakistani tribal areas, thus inviting the US displeasure. Flushing out these foreign fighters by Pakistani security forces made Pakistan a battle ground, as foreign

militants and some of their local hosts, joined hands to counter the security forces.

The **drone strikes** have increased anti-Americanism in Pakistan society and the region. The terrorists have used the collateral damage to maximize the environment and society to their benefit. Families of people killed in collateral damage become ideal nursery for suicide bombers In Pakistan society drone attacks are popularly believed to have caused even more civilian casualties than is actually the case. The persistence of these attacks on Pakistani territory is continuously creating public outrages and alienating people from government and Army. The drone is a tactical weapon and has certainly given good results tactically to support coalition forces operation on their sides of the border but strategically history has many unanswered questions.

On account of anti-campaign and drone attacks scores of people have become **homeless** and even some have lost all their possessions Coupled with this, governments indifference towards these internally displaced people has further deteriorating the situation and encouraging people to join anti-state actors. Negligence on the part of government has alienated the people and has placed Pakistan in an undesirable situation domestically.

Furthermore, indiscriminate and brutal **persecution of innocent citizen of Kashmir and Palestine** by Indian and Israeli forces respectively is further boosting the monster of terrorism. the people of Kashmir and Palestine have been denied their basic rights for decades. Hence their feelings of antagonism springing out in the form violent acts and also their supporters are conducting these types of acts here in Pakistan in order the draw the attention of the world towards the injustices being done to them.

Pakistan has done its level best to rid terrorism and terrorists from its soil. In first step, many terrorist organisations were banned by the Musharraf government. After those successful military operations namely **Rah-e-Nijat and Rah-e-Rast** have been conducted. Pakistan army has fought bravely against terrorist and has destroyed their safe dens. It has broken the backbone of the terrorists and has forced them to flee. These operations still keep ongoing in some tribal areas. In this context, it is worth-mentioning that public support to military operations is very essential, and without people's backing no army can win this 'different war' against terrorism.

For Pakistan the **consequences of being the epicentre of the war on terror have been disastrous physically, psychologically and economically**. Nobody understands terrorism better than us (Pakistanis). We have been victims of various manifestations of it since the Soviet Afghan war. Since 9/11, the wave of suicide bombing has so far killed scores of innocent Pakistani civilians and muffled the already slow pace of our economic growth. The financial cost of the ongoing global war on terror in the last two years alone has been **$35 billion**. This has badly affected in particular, the socio-economic development of Pakistan. Lest we forget, we even lost our prominent political leader **Benazir Bhutto** to an act of terror.

Since September 11, 2001, **21,672 Pakistani civilians have lost their lives** or have been seriously injured in an ongoing fight against terrorism. The Pakistan Army has lost **2,795 soldiers in the war and 8,671 have been injured.** There have been 3,486 bomb blasts in the country, including 283 major suicide attacks. More than **3.5 million** have been displaced. The damage to the Pakistani economy is estimated at $68 billion over the last ten years. **Over 200,000 Pakistani troops were deployed at the frontline and 90,000 soldiers are fighting against militants on the Afghan border**.

The ongoing insurgency has accelerated the already **dismal economic situation** and has affected almost each and every economic aspects of the country, particularly in FATA and Khyber Pukhtunkhwa. All the main resources of revenue in affected areas have been hurt, including agriculture, the tourism industry, manufacturing and small-scale industry.

Due to insurgency, the **loss to agriculture alone amounts to Rs.35 billion.** The breakdown in law and order situation has damaged the fruit based economy of the northern areas. It has rendered billions of rupes losses to the landowners, labourers, dealers and farmers who earn their livelihood from these orchards. Also, the Economic survey of Pakistan report shows that the share of agriculture in the gross domestic product (GDP) has been constantly falling. It accounted for 25.99 per cent of GDP in 1999-2000; however, gradually its share shrank to 21.3 per cent in 2007-2008. The figures show that terrorism has not only decreased the productive capacity of agricultural activity in these regions but also in the entire country.

T**he manufacturing sector has been hard hit** by frequent incidents of terrorism and has created an uncertain environment resulting into low level of economic growth. The manufacturing sector is witnessing the lowest-ever share of 18.2 per cent in the GDP over the last five years. In addition, the small and medium-size enterprises which are key area of manufacturing in Pakistan have been affected across the country because of power shortages and recurrent terrorist attacks.

According to a Harvard study (December 2000), higher levels of terrorism risk are associated with lower levels of net FDI. In case of Pakistan, terrorism has affected the allocation of firms investing money in the country. As a result, FDI, which had witnessed a steep rise over the previous several years, was adversely affected by the terrorist acts in the country, especially in FATA and other areas of Khyber Pukhtunkhwa.

According to the World Economic Forum, Pakistan ranked 113 out of 130 countries in 2009 as a **tourist destination.** The low ranking is attributed to incidents of terrorism and the lack of a tourism regulatory framework in Pakistan. On account of persistent terrorist attacks many hotels in the northwest areas have been closed. According to government's own estimates, the hotel industry in Swat valley has suffered a loss of Rs. 60 billion. Many workers have lost their jobs and transport has also face a severe blow.

Due to war on terror, **local people of war-ridden areas are migrating** to other areas of Pakistan. Country has seen the largest migration since independence in 1947. These people have left their homes, businesses, possessions and property back home. This large influx of people and their rehabilitation is an economic burden for Pakistan. Unemployment is still prevalent and now the question of providing employment to these migrants has also become a serious concern. This portion of population is contributing nothing worthwhile to the national income yet they have to be benefitted from it. This unproductive lot of people is a growing economic problem of Pakistan

Social impacts have also been caused by this war. In a society where terror exists cannot be healthy. Social disorganization has occurred due to terrorism. Social relations, economic transactions, free moments, getting education, offering prayers etc. have suffered. Pakistan's participation in the anti-terrorism campaign has led to massive unemployment, homelessness, poverty and other social problems and ills. In addition, frequent incidents of terrorism and displacement of the local \population have severely affected the social fabric.

On the **political front Pakistan is badly impacted** in fighting the war against terrorism. It has taken many valuable steps to defeat terrorists. In spite of all the sacrifices the country is making it is branded to be a country insincere or half-hearted in fighting the menace. Every time the country is told to "do more". It is further alleged for infiltration of the militants inside US-NATO dominated Afghanistan. The failure of the Western troops in the neighbourhood is blamed on Pakistan. This situation has eroded the trust between the governments and caused international image problem for the country.

Similarly the terror has brought in its wake **psychological problems.** Fear in the hearts of the people is created. Trauma, depressions and confusion have been increased. The people feel insecure and unsafe whenever in their daily life activities, as time and again they watch the terror events taking place in different cities. Those have especially been suffered who have closely witnessed the suicidal bombings.

The r**eligion is also impacted** by the war against terrorism. The religion of Islam is perceived to be the one tolerating extremism and terrorism abroad. In the western world people equate violence, abuse against women and minority rights, and several acts of terrorism like suicidal bombing and coercion with Islam and Muslims. Whenever any such inhuman act takes place they tie it with Islam and its followers. When in the UK terror acts were committed the authority blamed it on Pakistani citizens for instance. And why these days Pakistanis are discriminately interrogated and have to be screened before they inter the US is due to the fact that they are Pakistanis and Muslims.

Thorough analysis of the causes of terrorism and its ineffaceable impacts indicate that in Pakistan this phenomenon has not come to fore overnight. It has taken decades to flourish and involves many factors. Since terrorism is a multifaceted, the solution has to be multi-pronged. In view of the root causes described in above paragraphs, the possible **remedies** could include:

• To begin with, a national commission needs to be set up, which identifies the fault lines and the root causes of the rise of extremism in Pakistan taking into consideration the post-Nine-Eleven developments.

• It should also take up the question of reforming the madrassas. The heads of all the major religious groups should be contacted and engaged to explore short-term and long-term solutions.

• Our universities and research institutes should take up the intellectual task of re-interpreting the Islamic injunctions in the light of modern knowledge and 21st century challenges (with emphasis on social justice).

• The government must improve its performance. Bad governance and corruption have lowered its credibility and clout,

• Parliament must debate Pakistan's present relationship with the US, with particular reference to the American war in Afghanistan and operations in Pakistan.

• Our government should make efforts to develop sector. Without any doubt, these efforts will play a crucial role not only in providing employment to the millions of people but will also eliminate poverty in the country.

• Pakistan's government should particularly emphasise the need of technical education by promoting it. In this respect, more institutes should be opened in order to promote technical education.

• It is mentionable that there are two types of terrorists, extremists and moderates. In order to cope with terrorism, our government should neutralise the moderate terrorists through reconciliation by offering them general pardon and asking them to renounce terrorism. Even extremist insurgents can be offered mediation. Nevertheless, those militants who reject the offer could be fought through military operations.

• Nonetheless, for their on global and regional interests, US-led western allies must not only increase the military and economic aid of Pakistan but also provide direct market access to Pak products on zero rate duty to help stabilise the country's bleak economy in the wake of the war against terror.

• As Pakistan has been successfully coping with the menace of terrorism, US-led some western countries including India should also give up their propaganda campaign against Islamabad and blame game against its intelligence agency ISI.

• US should help in resolving the Kashmir dispute to deal with the problem of militancy in the region.

• In order to fight terrorism, Pakistan's media should play a key role. It must point out the criminal activities of the militants like hostage-taking, killing of the innocent people? torching the government buildings including girl schools and car-snatching. It should also indicate that Islam is a religion of peace and does not allow suicide attacks.

• As Pakistan is already facing various crises of grave nature in wake of terrorism, so our politicians must stop manipulating the same for their own self-interests. By setting aside their differences and by showing power of tolerance, both our rulers and opposition parties need to act upon a policy of national reconciliation to cope with the problem of terrorism and to stand before external pressure.

• Finally, our politicians, general masses and security forces must show a strong sense of unity to fight terrorism,

To conclude, Pakistan is a peace loving nation and playing its important role in combating terror. Recognition of efforts to fight menace of terrorism and sacrifices rendered thereof are testimony to the commitment and resolve to bring peace in the region. Unfortunately sometimes its commitment is doubted by some of its allies. Mistrust can lead to diversion of efforts, which will not be beneficial to common objective of peace in the region. Pakistan is a responsible nation; fully capable of defending its territorial integrity. Pakistan has singularly committed large forces to combat menace of terrorism more than any other country. No foreign troops are either present or deployed on Pakistan soil. All citizens of Pakistan must propagate moderate vibrant culture of Pakistan to promote good will of world community and shun misconstrued beliefs. Attacks on security forces personnel are executed at the sponsorship of hostile intelligence agencies. Such anti state elements must be singled out and brought to lime light to defeat evil agendas of our enemies. Pakistan has sacrificed the most in the ongoing war on terror; criticizing Pakistan's efforts at national/international forum will be counter-productive to the overall objectives of war on terror.

RADICALISM:

THE DEVELOPMENT OF MODERN RADICALISM

BIBLIOGRAPHY

The term "radicalism" always points to some analytical or revisionist function. It implies a concentration of the focus of relevance on a particular principle, at the expense of the traditionally sanctioned regard for the complexities of context. The element thus abstracted becomes the salient core on which inference and action are based. Radicalism tends to be comprehensive; no matter where it starts, it tends to assimilate all aspects of life to the initial principle. In its positive sense this tendency implies a projection of a completely new version of human life and enterprise. In its negative sense it implies a threat to all aspects of ongoing life. Although many forms of radicalism eschew violence, there is little doubt that the overthrow of the existing order is part of the radical agenda. The radical reduction and its extension into a comprehensive doctrine need not have the character of logically derived conclusions. Quite often the assertions are the result of directly intuited truth, and the forms of expression range from scholastic demonstrations to rhapsodic prophecy. Whatever the form, the impulse behind it is to announce the sovereignty of a principle and to render a principled, unified, and internally consistent interpretation of the cosmos and the meaning of human life. It is expected that the believer's perception of and attitude toward reality will be synthesized accordingly into an internally coherent outlook and ultimately translated into a principled conduct of life.

Zealotry and rationality. There exists a close but somewhat misleading affinity between radicalism and zealotry, particularly in the areas of politics, morality, and religion. Zealotry, being a form of unquestioned and permanent obeisance, may, and often does, become the routinized pursuit of radical ideals. The zealot's commitment to radical causes is accompanied by deep-seated emotional problems. The particular psychological structure of motives and attitudes that leads to or is compatible with expressions of zealous radicalism has been identified as the "authoritarian personality type" (Adorno et al. 1950).

However, even when the attitude of the radical is wholly immersed in feeling, its expression is not compatible with emotional impulsiveness but is always pervaded by its own peculiar rational discipline. The rational structure of radical thought and action is the expressive mold that fits the unconscious-need dispositions of many persons; to others it is a matter of deliberate moral choice and closely reasoned inference; and to some it may be no more than a mask they can plausibly and deliberately display while being motivated by considerations of momentary expediency.

The conception of radicalism as rational does not imply that it is ruled by logic, science, or economy but merely that the drive toward some sort of explicit intellectual generalization of the meaning of human action and experience is a constitutive property of radicalism. By methodically correlating its interpretive principles with its maxims of conduct, radicalism provides ultimate, permanent, and "objectively valid" grounds for moral choice. Radicalism usually attaches its single-minded emphasis to something that is already known and valued, albeit as one thing among many. What is new is not the tenet itself but the militant assertion

of its sovereign and unqualified supremacy. However, while the banner of radicalism derives from the outlook of the society in which it occurs, its arguments turn against that society.

Although radicalism is characteristically rational or at least rationalized, it is clearly and implacably inconsistent with reasonableness. In principle, pure radical thought and action is entirely devoid of practical wisdom, of sensitivity for the occasion, of opportunistic economizing, of the capacity to learn from experience, of flexibility and looseness of interest. In sum, it lacks that bargaining side of intelligence that characterizes the conduct and thinking of "reasonable" persons. Indeed, the principal polemic adversary of the radical is the normally competent, fully franchised member of his society whose orientation to reality is governed by conventional standards of "reasonableness." While the latter moves in a world of ambiguity and uncertainty with apparent ease and comfort, varying the perspective of his interest and judgment in accordance with practical considerations and changing circumstances, the radical finds in such behavior decadence and philistinism. Because of the radical's dedication to the salience of his reduction, he is, qua radical, divested of realistic concern for the passing complexities of everyday life, and he views them with contempt. He scorns the demands that issue from "the way things are," and eschews partaking in the respect that is accorded to persons and arrangements on purely conventional grounds.

The radical ideology. It has been shown that radicalism has its origins and permanent focus of appeal in the socially displaced strata of society (Lipset 1960). Although this phenomenon is probably not present in every form or instance of radicalism, it is immensely important for the understanding of the social structure of radicalism. The socially eccentric locus of origin of radicalism appears to be a particularly auspicious perspective for the deliberate appraisal of the ordinarily taken-for-granted texture of everyday life, and it may well be that man's consciousness of himself and of the world around him is the assimilated aggregate of past and forgotten radicalizations.

When men of radical persuasion look into the past, one of two alternative views is obtained. In one, the tendencies contained in mundane history are disregarded entirely in favor of tracing some doctrinal claim to a distant and mythical past. All that happened between some golden age and the radical discernment in its modern setting is defined as an ironic departure from the intended direction of the original state. In the second and more common view, mundane history is seen as a script of a determined sequence of events. In the huge historical panoramas of Hegel and Marx, all that is truly historical is defined as accidental and insignificant, and all that matters is the permanently lawful sequence of general tendencies. What Hegel called die Tiicke des Geistes merely deludes man into thinking that what he does as a free agent matters historically. From either point of view, the polemic highlight of radical historiography is the announcement of an eternal truth. In either case, the image of the past urges that the full meaning of man's misery and degradation cannot be fully grasped by beholding it now and that the proposed remedies cannot be fully justified without considering them as links in a process of cosmic proportion. Knowledge of the past has as its principal function the exemplification and the aggrandizement of the timeless truth contained in the radical doctrine and the demonstration of its compelling necessity.

The doctrine and the ethic of radicalism is inevitably invested with tensions. On the one hand, it is systematized by internal standards of warrant and sensibility; on the other hand, radical beliefs remain responsive to tests of everyday life experiences. Even while the great goals and the order of the future are within the grasp of the imagination, there remain the petty vexations and distractions of everyday life. Even while he holds steadfast to the grand scheme, the believer must resist temptations to suspend the relevance of the doctrine for considerations of momentary interest. Worse yet, his resoluteness is threatened continuously by counterevidence that tends to discredit the doctrine. In the long run radicals succumb to

these worldly pressures; they pay their price in sacrifice, settle for partial gains, and become assimilated. Often when they surrender their totalitarian claims, they become selectively dogmatized and develop the art of casuistry. This process is best exemplified in the transformation of sects into churches. The alternative to the corruption of rational purity and consistency, i.e., the maintenance of radicalism in its pristine state, requires that radical movements impose upon their members a form of discipline that makes doctrinal impurity as difficult and unattractive as possible and that peremptorily discredits the relevance of all possible distraction and counterevidence.

Several well-recognized features of extreme radical movements have precisely this effect. Most noteworthy are the following: (1) The believers are organized into a charismatic fellowship. Within this collectivity the tenets of the faith can be exercised freely and, thus, are validated, i.e., the fellowship is "a living example." (2) the distinctness of the radical creed and program from the rest of the world is symbolically emphasized. A common device to accomplish this is to associate it with the inspiration of a prophet. The particularistic access to truth discredits a variety of polemic opponents. (3) There is a sustained concern for the purity of belief and conduct. The state of permanent purge functions at the level of self-critique, as well as that of collective and authoritative discipline. (4) The manner in which the doctrine pertains to the lives of believers is diffusely comprehensive. All interest and activity is "normalized" through participation in the movement. Not only does the movement usurp enormous powers of restraint over its members; it also annuls the significance of all external sources of sanction. (5) The movement monopolizes the commitments of the believers. Loyalty to the movement requires that no personal interest or obligation may be admitted as legitimately contesting a demand issuing from participation in the movement. This condition is substantially satisfied by dissolving all possible human ties and by deindividualizing members in the direction of some heroic ideal. (6) Suffering and martyrdom must be made acceptable and be brought within the purview of immediate possibility. While members are desensitized to pain, their conception of the relationship between the assailant and the victim becomes impersonal, and brutality becomes morally neutral. (7) The movement exploits outside sentiments against it to its own organizational advantage. That is, members who are publicly compromised by participation in it are forced to burn their bridges behind them.

The development of modern radicalism

The original cause with which modern radicalism is associated is the attack on the traditionally inherited corporate structure of power, in the name of an equal and liberal distribution of political franchise—i.e., the ideals of democracy. Although movements of democratic reform and rebellion appear sporadically throughout history, radicalism in this sense became endemic only to the Western world, and only since the late eighteenth century. During the Reformation, the main Protestant denominations, notably the Evangelical Lutheran church and the Church of England, never lost their footing in the established political hierarchy and have settled their quarrels with temporal authority under the doctrine, Cuius regio eius religio. Other sectarian movements, however, have been sporadically involved in partisan warfare against traditional secular privilege. The opening and the closing of this period of complicated plebeian upheavals are marked by the Bauernkriege in sixteenth-century Germany and the Levellers' movement of the Puritan revolution in England. In 1685, at the time of the suspension of the Edict of Nantes, the fight for religious and political freedom was largely exhausted, muzzled, or confined to insignificant enclaves, from which irreconcilable partisans embarked on their voyages to the New World. Even in eighteenth-century England the dissenting bodies in the Bunyan tradition became reconciled to the status quo.

Founded in part upon the largely academic discourses of Locke and Montesquieu, the doctrine of modern democratic radicalism was formulated, by Rousseau and a host of lesser writers, with full awareness of its seditious character. Their relentless argument urged that all existing conditions and customs are unnatural and must be destroyed and replaced by a new and rational order (Talmon 1952). In contrast to the religiously inspired radicalism of the Reformation period, the new formulation was wholly secular.

Foremost among the objects of attack was the belief, never seriously challenged in previous ages of Western civilization, that only a select few, an elite, had the wisdom and right and power to govern. In its place there was formulated a doctrine that proclaimed every man the patron of his own life and established the sovereign right of all the people to order their common affairs. The vision of individual liberty and popular sovereignty was made compelling by the endorsement of reason. Although it is now easily seen that this enlightenment of reason contained a strong admixture of romantic sentimentality, there is little doubt that the protagonists themselves perceived their arguments as appealing to discretion rather than feeling. Of course, the radicals did not invent or monopolize the use of reason as an instrument of politics. Other forms of governing and the opposition to radical innovation also had their rational apologists. None, however, depended to the extent the democratic radicals did on the persuasive power of reason and excluded so completely other considerations.

Early radical movements

The American and French revolutions in the closing decades of the eighteenth century were significant expressions of modern radicalism. They did not, however, express all existing radical tendencies, and they encompassed a great deal more than merely radical idealism. More specifically, five movements, all derived from ideals of the enlightenment, show the directions and development of modern radicalism.

Jacobinism. The most direct translation of enlightenment ideals into political action was Jacobinism, which had been effectively practiced primarily in France—although Jacobin clubs existed in most European countries and in the United States—and for only a relatively short period of time. Yet it made a permanent contribution to the subsequent organization of all radical agitation. The small, locally based Jacobin clubs were focal points for revolutionary propaganda campaigns and were employed to mobilize mass support whenever the small core of activists needed such support. Furthermore, the tight network of relations within the clubs and the efficient network of communications between clubs provided for a state of permanent purge that made Robespierre's slogan about the tyranny of liberty a practical possibility. Jacobinism is an early model of a movement that requires for its perpetration a very high level of activist tension.

Populism. Populism assumed a variety of forms, depending on the place of its occurrence. In the United States it traces back to the ideals of Jeffersonian democracy. Despite Jefferson's own cosmopolitan mind, these ideals contained physiocratic elements that in the hands of Jackson became a permanent radical trend in American politics. The core of strength of American Populism was always agrarian, but Populism directed some of its appeals to, and derived some of its support from, the urban masses. In Russia a variety of influences, most notably Slavophile sentiments, led to the formation of the Narodnik movement around the time of the emancipation of the serfs. Here imported enlightenment ideals combined with romantic nationalism in the revival of the concept of the mir, an ancient Slavic form of agricultural polity. In Germany, starting with Herder, scholars and writers with a romantic medievalist bent cultivated an interest in folklore, ethnic history, and ultimately, national

sovereignty. Although the German development concentrated on the intellectual glorification of the concept of Volk and did not lead to the formation of a populist movement in Germany, it furnished the ideological underpinning for a number of populist-peasant parties in eastern and central Europe. The common element of all these trends was a strong belief in the rights and creative powers of the common man, living close to nature, whose interests are naturally opposed to the oligarchic tendencies of large central governments and to professional political administration.

Philosophical radicalism. The ideals of Jeffersonian democracy and those of the philosophical radicals of England are similar in that historically both are of Whig origin. The English reformers, however, were of distinctly bourgeois persuasion and appeal. Their idea of reconstructing government according to the principle of utility was an exercise in business rationality. Although the ideals of Bentham, the leading theoretician of this group, were close to the ideals of the Jacobins, and although he was in his own way as much a rationalistic simplifier as they were, the characteristic difference between them is that for the English reformer the fight for a rational social order did not admit the possibility of violence and chaos, even as a tactical instrument

Anarchism. The strongest and most systematically radical version of radicalism is to be found in anarchism. William Godwin first formulated the complete version of anarchism, teaching that to compel men to act according to reason is superfluous and to compel them to act against reason is unjust. On this basis, he called for the abolishment of all institutions. With Proudhon, anarchism adopted a program of economic reform that far exceeded anything contained in other contemporary radical tendencies. Later the movement assumed the character of a quasi political party, always, however, refusing to participate in the affairs of government

German idealism. German idealism has been called "the theory of the French Revolution." Starting with the powerful influence of Rousseau on Kant and continuing through Schelling and Fichte, this tendency culminated in the work of Hegel. Here the ideas of freedom and reason were wholly emancipated from man as a concrete being and were objectified in the modern state. Hegel's statism is the perfect obverse of anarchism. Whereas for Godwin man in his natural state is the paradigm of reason and freedom, for Hegel reason and freedom are the attributes of a transcendental subjectivity whose only possible concrete manifestations are institutions. Although Hegel's own thinking turned to the glorification of the existing Prussian state, the logic of his argument exerted a powerful influence on the formation of all subsequent radical doctrines.

From its beginning and through the first few decades of the nineteenth century, modern radicalism had a certain enthusiastic unity, expressed in the slogan, Pas d'ennemis a gauche! Even Fichte and the young Hegel stood on the left, in opposition to the conservative restoration forces of the post-Napoleonic era. From approximately the middle of the nineteenth century on, there appeared a split into what came to be known as right-wing radicalism and left-wing radicalism. The split was first manifest among the disciples of Hegel and ultimately led to the realignment of all radical forces.

Right-wing radicalism

By and large, right-wing radicalism is not readily discernible in nineteenth-century politics. The consolidation of the European states followed closely the Hegelian blueprint, and right-wing radicalism appeared mainly in the form of programs seeking to perfect an already existing state of affairs. Revisionist radical right-wing tendencies appear only at the close of

the century, through the infusion of a new element. Statism achieved a new formulation, in a doctrine that based national sovereignty on historical missions of distinct races. The principal protagonists of this idea were Joseph Arthur de Gobineau and Houston Stewart Chamberlain. Although this movement explicitly repudiated the influence of Hegel, it drew heavily on the translation of the idea of Weltbiir-gerthum into the idea of the Nationalstaat, and there is little doubt that it absorbed the bulk of the forces that were earlier affiliated with the Hegelian right

The association beween ethnic identity and territorial sovereignty became universally accepted during the nineteenth century and furnished the basis for the political division of Europe at Versailles. During the two decades following World War i, nationalism achieved its most radical expression in the totalitarian dictatorships of Italy, Japan, and Germany. The doctrinal underpinning of these systems varied, emphasizing alternatively race, cultural heritage, or a combination of both. Associated with them are attitudes of superpatriotism and a belief in the superiority of one's ethnic group, and they encompassed policies of belligerent imperialism. Movements of this sort were active and continue to be active in virtually all nations of the world, and many autocrats have found in the rhetoric of radical nationalism the justification for claiming power

A number of phenomena of somewhat lesser significance deserve mention in the context of right-wing radicalism. In France the Radical Republicans stood in opposition to the "opportunist" left wing of the Parliament of 1875 and subsequently became allied with militarist, proclerical, and royalist groups. This alliance was consolidated during the Dreyfuss affair and remained a sporadically active extreme right-wing faction in French politics. Phenomena such as the Falange in Spain and the Black Guard in Rumania also belong to this category [SeeFalangism]. Standing apart from the above but related to them are anti-civil liberties tendencies in American politics. The latter include, among others, such heterogeneous elements as the radicalism of Thaddeus Stevens and his followers, certain nativist movements, and the outlook referred to as McCarthyism.

Left-wing radicalism

The structural affiliation of right-wing radicalism with established political power led to its development as the philosophy of the existing polity, i.e., as an apologia. Hence, the term "radicalism" came to mean left-wing radicalism. But from its very onset this movement was torn by schisms. The last left-wing synthesis, during the two decades following the revolution of 1848, encompassed some socialists of the Jacobin heritage, some English reformers of the labor-class movement, the anarchists under the leadership of Bakunin, disciples of Moses Hess and Ferdinand Lassalle, and, of course, Marxists. By the time of the Paris Commune, this shaky alliance was in shambles. Since then, left-wing radicalism has been divided into numerous factions, which have often fought each other with bitter hostility.

Anarchists have maintained their intransigent alienation from normal political processes. Occasionally they have displayed some strength in the organization of labor movements (e.g., the Industrial Workers of the World in the United States) or in Latin-European politics (e.g., in Spain during the 1930s). On the whole, however, anarchism has remained conspicuous mainly because of real or alleged acts of terrorism. Its occasional associations with criminal elements, i.e., forces inimical not only to the established order but to anarchist ideals themselves, have caused anarchism to be generally regarded as the most virulently destructive form of radicalism.

Marxist communism achieved a strong international party organization, maintaining an orthodox revolutionary line, and gained political ascendancy in several European states in the aftermath of World War I. Of these, the Soviet Union is the only one that remained stable. Following World War II a number of states within the traditional sphere of political influence

of Russia came under the domination of the Communist party. These governments instituted nationwide collectivization of productive property and strong central organizations of power, in strict opposition to anarchist teachings.

Evolutionary socialism, which is in part a continuation of English philosophical radicalism and in part an offshoot of Marxism, worked toward the assimilation of elements of the radical doctrine into the mainstream of twentieth-century politics, thereby eliminating the very conditions that were the foundation for the Marxist prophecy. Some socialist parties include the word "radical" in their party designation with justification. Others, like the French Radical Socialists under the leadership of Paul Herriot, are more properly located in the center of the general political spectrum.

Of the many lesser schismatic left-wing radical movements, syndicalism is perhaps the most important. Although mainly a hybrid offshoot of Marxist and anarchist influences, it contained some original ideas and retained a distinct identity over a protracted period of time. Syndicalism exercised a strong influence in some Latin countries of Europe and the Americas, and contributed, inter alia, to the formulation of the doctrine of Italian fascism

Radicalism is still very much alive everywhere, but particularly in those countries that recently became free of European domination. It is in the nature of the situation that those who are in this fight must share the forum and spotlight with others, who irresponsibly exploit vulgar frustrations. But even as the fight against the old tyrannies continues, the very polity that radicalism has built has become the focus of new discontents. The conscious and deliberate effort to bring the human community under the rule of reason has led to the development of complex institutions. Intended to insure and increase freedom, equality, and popular welfare, these institutions have recently been attacked as a new, dehumanized tyranny. The theme of alienation is heard again after a century of dormancy, and on the fringes of society there are groups that view the existing social order as their antagonist. Thus, radicalism, which started by abolishing all sanctions of history, has returned to the fold of history, partly by its triumph and partly by its own sins. While the incorporation of the ethics of political freedom and universal rational justice into human consciousness appears to be a permanent achievement, the shadow of new radical questions about the human condition is cast upon the stage of human life.

Radicalism is a part of the general theme of the growth of rationalistic ethics. To the extent that Western civilization has been the most fertile soil for this development, radicalism is native to the West. Of course, neither rationalism nor radicalism is an Occidental monopoly; nor is Western history the record of a sustained development of rational ethics. However, as Max Weber pointed out, the prophetic origin of the Judaeo-Christian tradition, the development of a rational economy, the growth of rational science and philosophy, the organization of authority along legal-rational lines, together testify to the fact that reason is the guiding demon of Western man. But the search for an intellectual synthesis of the meaning of life forever transcends life. Reason, like myth, in attempting to grasp and express the roots of being, always idealizes the realities of everyday existence. In radicalism the ideal is the supreme taskmaster. The tension between the activist ethical principle and the exigencies of existence is the core of the radical dilemma.

WAR ON TERROR

Introduction

The War on Terror was started by the events of September 11th, 2001 and july 7th, 2005. Since then the foreign policy of the US and UK has been much changed. In the UK it is now legal to hold a terror suspect in jail for over one month without pressing charges, something unheard of in 2000. In May 2003, Amnesty International charged the War on Terror with, instead of building a safer world, "has made it more dangerous by curtailing human rights" (War on Terror). They also claimed that, far from the original goals, the war has made people more fearful, as well as deepening divisions between people of different faiths and origins. The War on Terror has made foreign policy more stringent on people who are of the Islamic faith, and has led to hate between different cultural groups, as well as the downfall of modern human rights.

Blame

The first name that comes to mind when you hear War on Terror is probably Osama Bin Laden. Many think he is to blame for all of this fear, yet this is not so. The three people to blame for the deepening uncertainty and fear are former President of the US George Bush, former British Prime Minister Tony Blair, as well as former Vice-President Dick Cheney. As stated in an essay regarding executive power after 9/11, "the Bush administration's anti-terrorism practices represent a stunning assault on basic principles of justice, government accountability, and the role of the courts," (Parker and Fellner, 2004). This was a reply to a statement Bush made to a 2002 graduating class from West Point Military Academy. Even Walter Murphy, a constitutional law scholar at Princeton has criticized Bush for abusing the constitution. Some time after this, he found out he was on the "terrorist watch list" and learned that attacking the President (even verbal attacks) will ban you from flying (Murphy, 2007). Another shocking discovery is that the Pentagon is watching peace marchers, and thousands have been placed on no-fly lists, which are very hard to get off of (War on Terror). Meanwhile, in the UK, legislation has passed to allow terror suspects to be held for forty-two days without charge, lengthening that duration by two weeks (Home and dry, just). As stated in Article 6 of the UNDHR, "everyone has the right to recognition everywhere as a person before the law," and Article 19, "everyone has the right to freedom of opinion and expression," and, as a result, both the American and British laws are in violation of human rights (UNDHR). Some have even gone so far as to say the War on Terror has led to what could be described as a War on Freedom.

Ignoring Human Rights?

Amnesty International has condemned the events of 9/11, and "calls in the strongest terms for those responsible to be brought to justice," besides "argue[ing]s that the response to these crimes must be conducted in strict conformity with international human rights standards," (Amnesty International: Human Rights Backlash). Amnesty International also claimed that the War on Terror is really a War on Freedom, this claim supported by their ideals of human rights, and the fact that the main forces in the War on Terror are totally ignoring human rights. After a brief look at the former DCI Michael Hayden's comments about the threat of Al-Qa'ida, one can easily see that the US will stop at nothing to bring this global jihad to an end (CIA). The Department of Homeland Security was created for the task of counter-terrorism. This War on Terror has taken its toll on human rights, and this war looks like it will now be won by which side takes away more freedom from the people.

Erosion of Public Freedom

The freedom of American citizens is being slowly eroded. With the creation of the DHS, the US is protected at home and abroad, with the DHS, CIA and FBI leading and dominating counter-terrorism efforts. The DHS has established a colour-coded threat level, to tell Americans what risk the US is currently at for a terrorist attack, and in their efforts to prevent

an attack, the Transportation Security Administration has even disallowed airplane passengers to have gel shoe inserts as “carry on” (TSA). This erosion of freedom has led to a heightened level of fear and security towards terrorists and the American homeland, and has deepened divisions between different cultures, mostly hate felt towards those of Islamic origin. In six years, the number of reported anti-Islamic hate crimes has quintupled, from twenty-eight incidents in 2000 to one hundred fifty-six in 2006, and 130 victims of hate were Islamic in 2008, out of a total of 9, 691 victims (FBI). There are many people in the US today who say anti-Islamic hate crime incidents are less than 2001/02, and they’re right, levels increased exponentially after 9/11, and then died down again, but critics like Rush Limbaugh also say that "there is backlash against Muslims in America" (mediamatters.org). Others claim this is just common hatred, others would tell you to look at the number of anti-Jewish hate crimes in 2008, a number that exceeds one thousand (FBI). In reality, however, hate crimes against any religion should be frowned upon, no matter who is being offended.

Conclusion

The War on Terror has made the people world feel as is they are in a dangerous place, especially those of Islamic faith, and has created a counter-terrorism oriented foreign policy. There are a few former world leaders who started the War on Terror, and many organizations that have responded to the reaction of global terrorism, but, above all, the War on Terror has taken away our rights as humans. This War on Terror really is a
War on Freedom.

'MONEY LAUNDERING'

Money laundering is the process of creating the appearance that large amounts of money obtained from serious crimes, such as drug trafficking or terrorist activity, originated from a legitimate source.

BREAKING DOWN 'Money Laundering'

There are three steps involved in the process of laundering money: placement, layering, and integration. Placement refers to the act of introducing "dirty money" (money obtained through illegitimate, criminal means) into the financial system in some way; "layering" is the act of concealing the source of that money by way of a series of complex transactions and bookkeeping gymnastics; and integration refers to the act of acquiring that money in purportedly legitimate means.

One of the more common ways that laundering takes place is when a criminal organization funnels their illegally obtained cash through a cash-based business, slightly inflating the daily take. These organizations are often referred to as "fronts." In the popular television series "Breaking Bad," the methamphetamine dealer funnels his earnings from selling illicit drugs through a series of car-wash businesses.

Other common forms of money laundering include smurfing, where a person breaks up large chunks of cash and deposits them over an extended period of time in a financial institution, or simply smuggles large amounts of cash across boarders to deposit them in offshore accounts where money laundering enforcement is less strict.

Enforcement

Some estimate the size of the problem of money laundering as being over $500 billion annually. Although the act of money laundering itself is a victimless white-collar crime it is often connected to serious and sometimes violent crime. Being able to stop money laundering is in effect, being able to stop the cash flows of international organized crime.

In 1989, the Global 7 formed an international committee called the Financial Action Task Force in an attempt to fight money laundering on an international scale. In the beginning of the 2000' its purview was expanded to combating the financing of terrorism.

The United States passed the Banking Security Act in the 1970's requiring financial institutions to report types of transactions to the Department of the Treasury, like cash transactions above a $10,000, or any transactions they deem suspicious on a report called an SAR (suspicious activity report).

The information that these banks provide to the Department of the Treasury is then used by the Financial Crimes Enforcement Network (FinCEN), where it can then be sent to domestic criminal investigators, international bodies, or foreign financial intelligence units. While these laws were helpful in tracking criminal activity through financial transactions, money laundering itself wasn't made illegal in the U.S. until 1986 with the passage of the Money Laundering Control Act. The new law removed limits on the amount of money involved, and it also removed individual intent to give the federal government more room to prosecute money laundering.

In many ways, the new frontier of money laundering and criminal activity lays in crypto-currencies. While not totally anonymous, these forms of currencies are increasingly being used as currency blackmailing schemes, drug trade, and other criminal activities due to their anonymity compared to other forms of currency.

CYBER CRIME

Cyber crime is the latest and perhaps the most complicated problem in the cyber world. The term "Cyber Crime" has nowhere been defined in any statute or Act passed or enacted by the Indian Parliament.

Any criminal activity that uses a computer either as an instrumentality, target or a means for perpetuating further crimes comes within the ambit of cyber crime.

It is rapidly evolving from simple e-mail mischief where offenders send obscene e-mail, to more serious offences like theft of information, e-mail bombing to crashing servers etc.

The types of cyber crimes include pornography, cyber fraud, defamation, cyber stalking, harassment, IPR theft, data hostage, money laundering, phishing, e-mail bombing, cyber war, illegal EFT.

Cyber crime is different and more heinous than conventional crime as in cyber crime; the crime is committed in an electronic medium and here means read is not a requirement but is rather a general rule under the penal provisions of the Information Technology Act. The Indian Parliament considered it necessary to give effect to the resolution by which U.N.

General Assembly adopted Model Law on Electronic Commerce adopted by the United Nations Commission on Trade Law. As a consequence of which the Information Technology Act, 2000 was passed. This Act was a welcome step at a time when there was no legislation on this field. The Act has however during its application proved to be inadequate and there are certain loopholes in the Act.

Cyber Crime in the Act is neither comprehensive nor exhaustive. The Information Technology Act has not dealt with cyber nuisance, cyber stalking, and cyber defamation and so on. Cases of spam, hacking, stalking and e-mail fraud are rampant although cyber crimes cells have been set-up in major cities. The problem is that most cases remain unreported due to lack of awareness.

Capacity of human mind is unfathomable. It is not possible to eliminate cyber crime from the cyber space. However, it is quite possible to check them.

The home user segment is the largest recipient of cyber attacks as they are less likely to have established security measures in place and therefore it is necessary that people should be made aware of their rights and duties.

Users must try and save any electronic information trail on their computers, use of anti-virus software, firewalls, use of intrusion detection system etc. and further making the application of the laws more stringent to check crime.

EXAMINER REPORT: CRIMINOLOGY (CSS-2016)

Total 795 candidates **opted** for criminology subject.
80% of the candidates performed very well, their **concepts** were clear and they **attempted** the paper nicely.
Among them 20% gave the **references**.
20% of the candidates who attempted the questions seemed that they just opted for criminology as a new subject with the realization that general knowledge will help them.

Suggestions:
The candidates who would like to opt for criminology should **study** law and social sciences including sociology, social work and psychology.

Thorough study is needed.

CRIMINOLOGY MCQs

1. Crime reports in the news media usually:
   a. emphasize the race of the offenders and victims.
   b. cite research by criminologists.
   c. focus on violent crimes.
   d. pay most attention to crimes involving large financial losses.
   Objective: Demonstrate the influence of the media.

2. Someone who watches a lot of television would be especially likely to think that which of the following crimes was more common than it really is?
   a. Murder
   b. Corporate fraud
   c. Burglary
   d. Shoplifting
   Objective: Demonstrate the influence of the media.

3. Criminals in prime-time television programs are _____ criminals in real life.
   a. more likely to be arrested than
   b. less likely to be arrested than
   c. about as likely to be arrested as
   Objective: Demonstrate the influence of the media.

4. Michael Gottfredson and Travis Hirschi describe ordinary crime as providing immediate and easy gratification of desires, few long-term benefits, little skill or planning, and pain for the victim. Based on this description of ordinary crime, they define crime as
   a. "violations of the historically determined rights of individuals."
   b. "violations of federal, state, or local criminal laws."
   c. "acts of force or fraud undertaken in pursuit of self-interest."
   d. "deviations from widely accepted social norms."
   Objective: Differentiate between crime and delinquency.

5. Marxist criminologists Herman and Julia Schwendinger define crime as
   a. "deviations from widely accepted social norms."
   b. "acts of force or fraud undertaken in pursuit of self-interest."
   c. "violations of federal, state, or local criminal laws."
   d. "violations of the historically determined rights of individuals."
   Objective: Differentiate between crime and delinquency.

6. A rule that makes explicit certain social expectations about the behavior that is appropriate for a particular person in a specific situation is called a:
   a. norm.
   b. value.
   c. belief.
   d. sanction.
   Objective: Describe the historical origins of the criminal law.

7. A measure designed to ensure future conformity to the law and punish nonconformity is called a:
   a. belief.
   b. value.
   c. sanction.
   d. norm.
   Objective: Describe the historical origins of the criminal law.

8. According to Emile Durkheim, a French sociologist who wrote in the late nineteenth century, the defining characteristic of crime is:
   a. human rights.
   b. negligence.
   c. social harm.
   d. punishment.
   Objective: Describe the historical origins of the criminal law.

9. _____ is the willed or conscious desire to commit an act that violates the criminal law.
   a. Malicious design
   b. Criminal intent
   c. Impulsivity
   d. Deviant motivation
   Objective: Discuss the characteristics of crime.

10. _____ is a defense to a criminal charge that denies criminal intent.
    a. A justification
    b. Mens rea
    c. A self-fulfilling prophecy
    d. An excuse
    Objective: Discuss the characteristics of crime.

11. Which of the following is an excuse to a criminal charge?
    a. Duress
    b. Self-defense
    c. Necessity
    d. Entrapment
    Objective: Discuss the characteristics of crime.

12. _____ is a legal defense to a criminal charge that claims that the law allows a person to act in a particular way.
    a. A justification
    b. Mens rea
    c. A self-fulfilling prophecy
    d. An excuse
    Objective: Discuss the characteristics of crime.

13. Which of the following is a justification used as a defense to a criminal charge?
    a. drug addiction
    b. duress
    c. entrapment
    d. drunkenness
    Objective: Discuss the characteristics of crime.

14. Which of the following is a status offense?
    a. Stealing a car
    b. Running away from home
    c. Using crack cocaine
    d. Beating up a schoolmate
    Objective: Differentiate between crime and delinquency.

15. The U.S. Supreme Court's decision in re Gault (1967) resulted in
    a. the lowering of the age at which all suspects were considered adults from 18 to 16.

b. the increased formalization of juvenile court procedures.
c. the increased use of social workers to treat serious juvenile offenders.
d. the mandatory imprisonment of all juvenile offenders who committed crimes with firearms.
Objective: Differentiate between crime and delinquency.

16. Juveniles charged with _____ are the most likely to be treated as adults in criminal cases.
a. drug offenses
b. property offenses
c. violent offenses
d. status offenses
Objective: Differentiate between crime and delinquency.

17. Trying youths in criminal courts and incarcerating them with adults:
a. may actually increase the chance that juveniles will commit more crimes in the future.
b. often results in severe penalties for minor offenders rather than for the violent ones at which the measures are aimed.
c. were the results of a "get tough" policy toward juveniles that developed in the 1980s.
d. all of the above.
Objective: Differentiate between crime and delinquency.

18. American criminal law is based on precedents set by English judges' decisions that are collectively known as:
a. the Decalogue.
b. the Twelve Tables.
c. statutory law.
d. common law.
Objective: Describe the origins of the criminal law.

19. The idea that criminal law is closely intertwined with the distribution of political power and economic resources in a society is called the _____ perspective.
a. classical
b. consensus
c. social constructionist
d. conflict
Objective: Summarize the different theoretical perspectives of criminology.

20. _____ is a form of conflict theory that focuses on social class.
a. Consensus theory
b. Marxist theory
c. Social constructionism
d. Cohort theory
Objective: Summarize the different theoretical perspectives of criminology.

21. Low crime rates in Japan and Switzerland _____ the ideas of Marxist criminology.
a. support
b. neither support nor contradict
c. contradict
d. conform to
Objective: Summarize the different theoretical perspectives of criminology.

22. _____ is a conflict theory that has shifted the emphasis from crime by the ruling class to the impact that crime by the lower and working classes has on other members of those classes.
a. Left realism
b. Radical criminology
c. Consensus theory
d. Social constructionism
Objective: Summarize the different theoretical perspectives of criminology.

23. _____ are the most likely to argue that criminology should link the study of crime to the pursuit of social justice and the liberation of oppressed people.
a. Conflict theorists
b. Comparative theorists
c. Social constructionists
d. Consensus theorists
Objective: Summarize the different theoretical perspectives of criminology.

24. The idea that the values and norms shared by all members of a society are reflected in that society's criminal law is central to:
a. left realism.
b. the social constructionist perspective.
c. the consensus perspective.
d. peace-making criminology.
Objective: Summarize the different theoretical perspectives of criminology.

25. Consensus theorists claim that the law is:
a. imposed on the rest of society by the capitalist class.
b. a product of discussion and compromise by lawmakers.
c. applied in a way that discriminates against racial and ethnic minorities.
d. rarely supported by the public.
Objective: Summarize the different theoretical perspectives of criminology.

26. The social construction of crime perspective proposes that:
a. young people in poverty-stricken communities learn that it is acceptable to commit crime by seeing reports of white-collar crime on television and in the newspapers.
b. the meaning given to crime varies from group to group and over time.
c. capitalists impose criminal laws on other social classes.
d. more prisons should be built to solve the social problem of crime.
Objective: Summarize the different theoretical perspectives of criminology.

27. Those primarily responsible for establishing the frame of reference within which the crime issue is discussed are:
a. religious and moral leaders.
b. the police and politicians.
c. television and film producers.
d. professors and non-academic researchers.
Objective: Summarize the different theoretical perspectives of criminology.

28. Which is NOT an example of the social construction of crime?
a. Wolfgang, Figlio, and Sellin's Philadelphia cohort study
b. LaFree's study of the official processing of sexual assault cases
c. The FBI's reaction to serial murder in the 1980s

d. Research on the abduction of children by strangers
Objective: Summarize the different theoretical perspectives of criminology.

29. Which is NOT a significant obstacle to comparative research on crime?
a. The unwillingness of researchers to cooperate with their colleagues in other nations
b. The lack of a research tradition in many societies
c. The lack of funding
d. The lack of comparability of crime statistics gathered in different countries
Objective: Describe the various types and strategies of criminological research.

30. Historical research on crime:
a. often relies on non-statistical evidence.
b. is frequently used by today's lawmakers to develop new crime policies.
c. has no application to contemporary crime problems.
d. avoids the use of accounts of crime by observers in the past because their accounts are untrustworthy.
Objective: Describe the various types and strategies of criminological research.

31. J. J. Tobias's research on crime in industrializing England found that throughout the nineteenth century, crime rates:
a. increased because of a steady growth in income inequality.
b. increased because opportunities for crime increased.
c. decreased because of England's growing involvement in foreign wars.
d. decreased because incomes and the number of jobs increased.
Objective: Describe the various types and strategies of criminological research.

32. The biographical method is most useful for understanding:
a. how offenders learn criminal behavior.
b. why a society's crime rate changes over time.
c. which treatment programs are most effective.
d. why crime rates are higher in one country than another.
Objective: Describe the various types and strategies of criminological research.

33. Which is the most important problem associated with the biographical method?
a. Getting information from interviews with offenders takes too long.
b. Few criminals are willing to talk to criminologists.
c. Interviewed offenders might not be representative of all offenders.
d. Criminologists are often assaulted or robbed by the offenders they are interviewing.
Objective: Describe the various types and strategies of criminological research.

34. Offenders' faulty and distorted memories are a significant problem with:
a. historical research.
b. comparative research.
c. patterns-of-crime studies.
d. the biographical method.
Objective: Describe the various types and strategies of criminological research.

35. Darrell Steffensmeier's use of the biographical method to study "Sam Goodman," a professional fence, allowed him to learn:
a. about the social network of which the fence is a part.
b. which prison treatment programs work best to rehabilitate fences.
c. how fences' childhoods differ from the childhoods of violent offenders.

d. how the police can most effectively prevent larceny and burglary.
Objective: Describe the various types and strategies of criminological research.

36. Which research method relies most heavily on the use of police statistics?
a. The survey
b. Observation
c. The biographical method
d. The patterns-of-crime approach
Objective: Describe the various types and strategies of criminological research.

37. Which of the following is most likely to be studied using the patterns-of-crime approach?
a. The relationships between offenders and their victims
b. The relationship between child abuse and delinquency
c. The attitudes of the public toward the criminal justice system
d. The factors that increase the chance that offenders will leave a life of crime
Objective: Describe the various types and strategies of criminological research.

38. An important problem with the patterns-of-crime approach is that:
a. many crimes are not reported by victims or recorded by the police.
b. it is difficult to follow the members of a cohort over the years without losing track of many of them.
c. the police often alter their records before allowing criminologists to use them.
d. interviewed criminals may not be representative of all criminals.
Objective: Describe the various types and strategies of criminological research.

39. Marvin Wolfgang's patterns-of-crime study of homicide in Philadelphia revealed that:
a. drugs were more common than alcohol in the homicide situation.
b. most offenders and victims were strangers to one another.
c. most murders were cross-racial; that is, involved blacks killing whites or whites killing blacks.
d. none of the above.
Objective: Describe the various types and strategies of criminological research.

40. A cohort is:
a. a sample of inmates randomly selected from the total prison population.
b. a group of people in a common situation at one time.
c. a juvenile gang.
d. a year's worth of crime statistics.
Objective: Describe the various types and strategies of criminological research.

41. In their two Philadelphia cohort studies, Marvin Wolfgang and his colleagues found that:
a. there were no differences between boys and girls in police contacts.
b. there were no differences between whites and blacks in police contacts.
c. a small percentage of boys accounted for the majority of all police contacts.
d. all boys had approximately the same number of police contacts.
Objective: Describe the various types and strategies of criminological research.

42. The key to a good survey is:
a. a sample representative of some larger population.
b. avoiding excessive reliance on statistical analysis.
c. a large sample size.

d. access to the latest in computer technology.
Objective: Describe the various types and strategies of criminological research.

43. Fisher, Cullen, and Turner's survey of rape on college campuses found that:
a. the majority of the reported rapes occurred in fraternity houses.
b. fewer than 5 percent of the rapes were reported to the police.
c. nearly all females who had been sexually assaulted defined the event as a rape.
d. fewer than 1 percent of the female students had ever been sexually assaulted.
Objective: Describe the various types and strategies of criminological research.

CRIMINOLOGY PAPER (CSS 2016)

NOTE: Attempt 4 questions in all, ONE question from each section.

PART II

SECTION I

QUESTION 2: Explain the nature and importance of Criminology in detail
QUESTION 3: Define the term Crime and Criminals. Explain the types of criminals in detail.

SECTION II

QUESTION 4: Write a note on Crime Control Agencies.
QUESTION 5: Define the term Probation. Discuss the conditions of probation.

SECTION III

QUESTION 6: Enlist and discuss the principles of criminal investigation.
QUESTION 7: Discuss in detail the "Interviewing and Interrogation Techniques" of investigation.

SECTION IV

QUESTION 8: Write a detailed not on Cyber Crime.
QUESTION 9: Write short notes on any two of the following:

a) Money Laundering
b) White-collar crimes
c) Criminal Law

CRIMINOLOGY PAPER (CSS 2017)

NOTE: Attempt 4 questions in all, ONE question from each section. .

PART - II
SECTION - I

Q.2. Write a critical note on the increasing importance of criminology in Pakistan. Also discuss the historical development of criminology as a scientific discipline.
Q.3. Enlist the criminological perspectives. Briefly describe the three criminological perspectives on the study of crime and criminal behaviour.

SECTION - II

Q.4. Write a comprehensive note on the juvenile justice system of Pakistan. Suggest measures for the improvement of Juvenile justice system of Pakistan.
Q.5. Write short notes on:
a) Causes of juvenile delinquency in Pakistan
b) Probation and parole

SECTION - III

Q.6. Write a comprehensive note on the principles of criminal investigation. Illustrate with examples from Pakistan.
Q.7. Elaborate importance of legal and ethical guidelines for the criminal investigation of gender based crimes. Support your answer with examples from Pakistani society.

SECTION - IV

Q.8. Write a critical note on the rule of law enforcement agencies in the control of terrorism in Pakistan. Suggest measures to minimize radicalization in Pakistan.
Q.9. Write notes on:
a) Money-laundering in Pakistan
b) Gender and Crime

SOLUTION: CRIMINOLOGY PAPER (CSS 2017)

QUESTION 2: Explain the nature and importance of Criminology in detail
NATURE AND IMPORTANCE OF CRIMINOLOGY

Criminology is an exploration of the nature and extent of the problem of crime in society. For years criminologists have been attempting to unravel criminal behaviour Most of the research in modern study of criminology in order to understand criminal behaviour, what causes it and how it can be prevented and punished is conducted by sociologists (Anglia Ruskin 2006)., however biological and psychological approach to the causation of crime have been important in the past and continue to do so today.

Each discipline is unique and has especial value and importance. Some disciplines have value and importance primarily in theoretical sense, whereas others are important for their practical value. The science of criminology is important and valuable both in practical and theoretical senses. The science of criminology is related to society and society has been likened to an organism. This fact makes plain and evident the value and significance of the science of criminology. The scope of criminology is the various social crimes and disturbances in their each and every aspect. As the science of medicine studies various ills and their cures which afflict human body, in the same manner criminology studies ills and their cures of society. The value and significance of the science of criminology is theoretical as well as practical. Its theoretical importance lies in the fact that it investigates and determines the cause of social disintegration. The practical or applied aspect of this science is that besides determining the factors and causes of social disintegration, it also studies the ways and means of preventing or eradicating these evils, that is, remedial measures.

The science of criminology therefore, aims at taking up case to case study of different crimes and suggest measures so as to infuse the feeling of mutual confidence, respect and co-operation among the offenders. The recent penological reforms have achieved considerable success in this direction.

The criminal law has been adequately modified to adapt itself to the modem reformative policies. Liberalisation of punishment for affording greater opportunities for rehabilitation of offenders through intensive after-care programmes has been accepted as the ultimate object of penal justice. Some of the significant attributes of criminology are noted below:

i. The most significant aspect of criminology is its concern for crime and criminals. It presupposes the study of criminal with basic assumption that no one is born criminal. It treats reformation as the ultimate object of punishment while individualisation the method of it. Most criminologists and penologists generally agree that every criminal is corrigible if offered adequate opportunities through treatment methods.
ii. As Donald Taft rightly puts it, the study of criminology also offers a background for profession and an opportunity for social workers. The police, the lawyers, attorneys, judges, jurors, probation officers, detectives and other specialists such as psychologists, psychiatrists and sociologists, etc., need perfect knowledge of criminology and administrative machinery for criminal justice system for their professional pursuits.

iii. Criminology also seeks to create conditions conducive to social solidarity inasmuch as it tries to point out what behaviours are obnoxious and anti-social. It tries to convince the offenders through punitive sanction that anti-social conduct on their part is bound to entail them punishment, misery, misfortune and dis-repute in society.

iv. The reformative treatment offered to first offenders, juvenile delinquents and insane criminals is intended to reform them as law-abiding members of society. Various correctional methods are devised to achieve this purpose. The ultimate object is to render a crime-free society as far as possible with a view to attaining social harmony.

v. It is further to be noted that with the advance of scientific knowledge and technology the complexities of life have also considerably multiplied. This has led to an enormous increase in crime rate and many new crimes which were hitherto altogether unknown, have emerged. Thus, thefts of automobiles, shop-lifting, smuggling, cheating, financial scams, bank robberies, scandals, terrorist activities etc., have become too common these days. Again, white collar crimes have attracted the attention of criminologists in recent years. This in turn, has led criminal law administrators to devise new methods and techniques to tackle these problems through intensive scientific researches. The modern computer related crimes have thrown new challenges before criminal law administrators throughout the world.

THE PRACTICAL IMPORTANCE OF CRIMINOLOGY

Apart from having theoretical value and importance, criminology also has much practical use and importance. In the words of Sutherland, "Criminology is concerned with the immediate application of knowledge to the programmes of social control of crime." Following are some of the specific practical uses of criminology.

1. Elimination of Crimes-The elimination of crime is one of the specific aim of criminology. It helps society in controlling and eliminating the crime both directly and indirectly. It is most obvious that if one knows the cause of a malady, its cure becomes easy. It is a truism in medical practice that correct diagnosis is more than half the cure. The same holds good in regard to the phenomenon of crime. By the knowledge of the causes of the crime, we can undertake specific measures to remove them.
2. Helpful in understanding the Psychology of the Criminal-Criminology is practical study. With the help of its knowledge we can easily assess the attitudes and opinions of the criminals. The study of criminology helps us to pin-point the factors responsible for the various crimes, that is, we learn as to how a particular crime is generated. There by we are able to correlate specific crime with specific set of circumstances. Apart form learning about the psychology of crime, the knowledge of criminology helps us to classify the criminals, that is, we are enabled to correlate personal factors like age, family and social background, education and physical environs, physical and mental traits with different types of crime. Thus for example, it may be revealed traits with different types of crime. Thus for example, it may be revealed that sexual crimes are committed, contrary to general impression, by persons with low sex-drive rather than by highly-sexed persons. A prostitute-monger may be

consorting with different women so as to cover up the self consciousness and guilt over inadequate performance or he may be doing so in order to receive the thrill of personal quirks and varied techniques of arousal exercise by the professional sex-vendors. These facts make it abundantly clear that the study of criminology goes a long way in helping us to appreciate the psychology of crime and criminal.

3. Reforms of Criminals-Besides controls, prevention and elimination of crime, it is the important task and responsibility of the science of criminology to device and suggest measures for the reforms and rehabilitation of the criminal. For example, to wean a prostitute from the sale of her bodily wares, we must know how and why she has taken to this profession. In the societies which do not stigmatize such persons and are prepared to accept them, the task is relatively easy. Again, it is easy if the prostitute has taken to this profession from economic hardships and other compulsions but it disgusted with what she is doing. But if, on the contrary, either the society is orthodox or the prostitutes like and enjoy what they are doing, the task of reform is extremely difficult, if not impossible.
4. Reforms of Evil Forces-Every society are under the influence of certain evil forces and their removal is the concern of every well-meaning member of the society. The science of criminology helps us a great deal in appreciating and understanding these evil forces and, thus, enables us to device ways and means for the effective check of those forces.

QUESTION 3: Define the term Crime and Criminals. Explain the types of criminals in detail.

Introduction: Crimes are defined and punished by statutes and by the common law. Most common law offences are as well known and as precisely ascertained as those which are defined by statutes; yet, from the difficulty of exactly defining and describing every act which ought to be punished, the vital and preserving principle has been adopted; that all immoral acts which tend to the prejudice of the community are punishable by courts of justice.

LEGAL DEFINITION OF CRIME: A violation of a law in which there is injury to the public or a member of the public and a **term** in jail or prison, and/or a fine as possible penalties. Or A crime is a wrongdoing classified by the state or Congress as a felony or misdemeanour. A crime is an offence against a public law. This word, in its most general sense, includes all offences, but in its more limited sense is confined to felony.

Criminal
A popular term for anyone who has committed a crime, whether convicted of the offense or not. More properly it shouldapply only to those actually convicted of a crime. Repeat offend ers are sometimes called habitual criminals.

TYPES OF CRIMINAL OFFENSES

Although there are many different kinds of crimes, criminal acts can generally be divided into four primary categories: personal crimes, property crimes, inchoate crimes, statutory crimes, and financial crimes.

Personal Crimes Personal crimes are those that result in physical or mental harm to another person. They can be divided into two main categories, forms of homicide and other violent crimes. Where the physical harm to another individual is so severe that it causes death, a defendant may be charged with any one of several types of homicide, including, for example, first-degree murder, voluntary manslaughter, or vehicular homicide. Conversely violent crimes, which are also very severe, include:

- assault and battery
- arson
- child abuse
- domestic abuse
- kidnapping
- rape and statutory rape

Property Crimes Property crimes typically involve interference with the property of another. Although they may involve physical or mental harm to another, they primarily result in the deprivation of the use or enjoyment of property. Many property crimes are theft crimes, including burglary, larceny, robbery, auto theft, and shoplifting.

Inchoate Crimes Inchoate crimes refer to those crimes that were initiated but not completed, and acts that assist in the commission of another crime. Inchoate crimes require more than a person simply intending or hoping to commit a crime. Rather, the individual must take a "substantial step" towards the completion of the crime in order to be found guilty. Inchoate crimes include aiding and abetting, attempt, and conspiracy. In some cases, inchoate crimes can be punished to the same degree that the underlying crime would be punished, while in other cases, the punishment might be less severe.

Statutory Crimes

Statutory crimes include those crimes, in addition to the crimes discussed above, which are proscribed by statute. Three significant types of statutory crimes are alcohol related crimes, drug crimes, traffic offenses, and financial/white collar crimes. These crimes are specifically prohibited by statute because society hopes to deter individuals from engaging in them. Alcohol-related crimes include a variety of offenses regarding how and where alcohol can be consumed, such as:

- Driving Under the Influence (DUI/OWI/DWI)
- Open Container Violations
- Minor in Possession of Alcohol
- Public Intoxication
- Underage DUI
- Boating DUI
- Selling and Supplying Alcohol to Minors
- Refusing to Perform a Field Sobriety Test
- Refusing to Perform a Breathalyzer or Provide a Blood Sample

Drug crimes concern any involvement in the creation or distribution of drugs, including drug possession, drug manufacturing, and drug trafficking. One area of criminal law that is currently receiving a great deal of attention is the regulation and prosecution of drug crimes related to medical marijuana. Due to state trends toward the legalization of medical marijuana, this is an area of criminal law that is in flux.

Traffic offenses include crimes that may arise while an individual is driving a vehicle on public roadways. Because a DUI/OWI/DWI involves both alcohol and the use of a vehicle, it is considered both an alcohol related crime and a traffic offense. Additional traffic offenses include driving on a suspended or revoked license, driving without a license, hit-and-run accidents, reckless driving, and vehicular assault. Where a traffic offense results in death, it can be charged as a far more serious crime, such as a form of homicide.

Financial and Other Crimes Finally, financial crimes often involve deception or fraud for financial gain. Although white-collar crimes derive their name from the corporate officers who historically perpetrated them, anyone in any industry can commit a white-collar crime. These crimes include many types of fraud and blackmail, embezzlement and money laundering, tax evasion, and cybercrime.

QUESTION 4: Write a note on Crime Control Agencies.

In Pakistan At the **federal** level there are a number of law enforcement agencies including the **Federal Investigation Agency**, **Intelligence Bureau**, **Anti Narcotics Force**, **National Counter Terrorism Authority**, the **National Highways and Motorway Police** and the **Railways Police**.

- Airports Security Force, Prompts safety of Civil Aviation through development of legal framework, practices, procedures, technical and human resources to prevent/respond to acts of unlawful interference within airport premises.
  - Director General: Maj Gen Sohail Ahmad Khan HI(M)
  - Deputy Director General: Brigadier Imran Ul Haq SI (M).
- Anti-Narcotics Force, A Federal Executive bureau of the Government of Pakistan, tasked with combating the narcotics smuggling and use within Pakistan.
  - Director General: Major General Nasir Dilawar Shah
- Federal Investigation Agency, A border control, counter-intelligence and security agency under the Ministry of Interior of Pakistan, tasked with investigative jurisdiction on undertaking operations against terrorism, espionage, federal crimes, fascism, smuggling as well as infringement and other specific crimes.
  - Director General: Bashir Ahmed, PSP
- Special Security Unit : (SSU) is a specialized counterterrorism andv security unit of the Sindh Police in Pakistan. It is a Karachi-based unit, with its operational jurisdiction extending throughout Sindh as a whole. It was established in 2010 in response to increased rates of terrorism. The unit reports to the IG Sindh and DIGP Security/Commandant Mr. Lt.(R) Maqsood Ahmed is the founding head of the unit
  - Director : Lt.(R) Maqsood Ahmed
- Frontier Constabulary, (FCon) is a paramilitary police force responsible for maintaining law and order in Pakistan and dealing with Situations out of the capabilities of Normal Police Force of Khyber Pakhtunkhwa. It was Founded in the British Indian Empire in 1913, it was named after the former North-West Frontier Province. Commandant: Liaqat Ali PSP, CFC/ IGFC
- National Crises Management Cell (NCMC) is a primary domestic intelligence, assessment and management institution, operational under the Ministry of Interior (MoI)under the jurisdiction of the Government of Pakistan. Its other activities involve building efforts towards counter-intelligence, counter-proliferation, and counter-insurgency as well as assisting the Government at all levels of commands, in managing intelligence. In Punjab it retains a Special Surveillance Unit.
  - Director General: Tariq Lodhi
  - Director: Kashif Lali(SSU)Pb
- National Highways and Motorway Police, NH&MP is a police force in Pakistan that is responsible for enforcement of traffic and safety laws, security and recovery on Pakistan's National Highways and Motorway network. The NH&MP use SUVs, cars and heavy motorbikes for patrolling purposes and uses speed cameras for enforcing speed limits.
  - Inspector General: Shaukat Hayat, PSP
- National Police Academy, a training centre for the senior officers of civilian police agencies
  - Commandant: Fayyaz Leghari
- Pakistan Coast Guard, a paramilitary force operating along the coast of Pakistan
- Pakistan Railways Police, operating on the railway system of Pakistan
  - Inspector General: Munir Chishti
- Pakistan Customs, operating on the Airports and Seaports of Pakistan.
- Directorate General of Intelligence and Investigation - FBR.

- Gilgit Baltistan Scouts, a paramilitary force operating along the northern cities of Pakistan

Provincial

- Balochistan Police, operating in the Balochistan province
  - Inspector General: Amlish Khan
- Balochistan Constabulary, a reserve police unit of Balochistan police consisting of more than 10000 personnel.
- Balochistan Levies, a paramilitary police force operating in 23 of Balochistan's 30 districts
- Capital Territory Police, operating in the Islamabad Capital Territory
  - Inspector General: Tahir Alam Khan
- Frontier Police, operating in the Khyber Pakhtunkhwa province (formerly "North West Frontier Province")
  - Inspector General: Nasir Durrani
- Punjab Police, operating in the Punjab province
  - Inspector General: Mushtaq Sukhera
- Punjab Prisons (Pakistan)
  - Inspector General: Kokab Nadeem Warraich
- Sindh Police, operating in the Sindh province
  - Inspector General: Allah Dino (AD) Khawaja
- Azad Jammu and Kashmir Police, operating in Azad Kashmir
  - Inspector General: K.B Awan
- Gilgit-Baltistan Police, operating in Gilgit-Baltistan (formerly "Northern Areas")
  - Inspector General: Zafar Iqbal Awan
- Police Qaumi Razakars:aid the police in their duties in all provinces.
- Pakistan Rangers, a paramilitary force operating along the eastern provinces and borders of Pakistan
- Frontier Corps, a paramilitary force operating along the western provinces and borders of Pakistan

QUESTION 5: Define the term Probation. Discuss the conditions of probation.

BACKGROUND/ HISTORY

Probation and parole are two of the oldest programs within the corrections system that takes care of non-violent offenders. Before the development of these programs, the offenders would be placed into the same facilities as all the other offenders. This wasn't fair to the offenders, nor was it helpful to the staff there. The actual goal of probation and parole was not to place these people into prisons or jails, but to rehabilitate them while in the care of their community.

PROBATION

John Augustus was the father of probation, although there were similar practices around 437 BC. Augustus was your average, everyday man. However, his goal with probation was behavioral reform. He believed that if the system allowed the offender to stay within the community, they would get sort of a second chance. Then, by providing support and guidance from probation officers, the officers may in fact be able to reach the goal of assisting the offender in becoming a law-abiding individual.

The word probation actually is a form of the Latin word probatio which mean to test or prove. The individuals who receive probation are called probationers. They are people who have been convicted of a crime and are given this sentence instead of going to jail. Probation officers are the people who supervise them. They are usually court-appointed and must make sure that their probationer follows the rules handed down to them by the court.

PAROLE

Parole was first used in Australia and Ireland. It was seen as an award for inmates who were on their best behavior. Parole is a privilege given to an individual when are eligible to parole. This happens after the prisoner receives a minimum or maximum sentence; then they become eligible with the decision of the parole board, which decides whether or not to put them on parole after a consideration hearing. Just like probation, this is a program that focuses on the rehabilitation of offenders and getting them back into the community and on the right track.

Parole was first introduced in the United States by Brockway Zebulon in 1876 as a way to reduce jail overcrowding. Zebulon also saw this as way to rehabilitate offenders by encouraging them to exhibit good behavior while incarcerated. This allows offenders to be let back into their community after serving a portion of their jail time and live, but under supervision from a Parole Officer. The parole period is based on a decision made by the board of parole. If the offender violates their parole while out, they are then placed back into the prison system. Both Alexander Maconochie and Walter Crofton played important roles in the development of the parole program.

DIFFERENCE BETWEEN PROBATION AND PAROLE

Most people think that probation and parole are the same thing. The have the same goal as to rehabilitate offenders, but they play two different roles. Probation is basically an extension to the offender's sentence, while parole is a reward given to prisoners for good behavior (Dressler 1951). Parole lessens the amount of time the individuals serves in prison (Dressler 1951).

Probation is a sentence handed directly to the offender from the judge, but a parole board is in charge of the decision to grant an offender with parole (Dressler 1951). When it comes to parole, the judge has no say, the decision is left up to the parole board in the prison facility (Dressler 1951; Abadinsky 1982).

Parolees are eligible for parole after they have served the minimum prison sentence that has been handed down to them (Abadinsky 1982). The board at this point determines whether or not the individual receives parole (Dressler 1951). As far as probation goes, this is based on the judge's decision after determining the seriousness of the crime and whether or not the individual is likely to reoffend within the probationary period (Dressler 1951).

PROBATION

The probation of offenders oddinance 1960 was promulgated by the president of Pakistan to cater to the needs of first time offenders who can be rehabilitated under the supervision and proper guidance of the probation officer without being sent to prison.
In the words of Ahuja ram(1979), probation is the postponement of final judegment or sentence in a criminal case, giving the offender an opportunity to improve his or her conduct, often on conditions imposed by the court and under the 1 guidance and supervision of an officer of the court. Probation can be considered as a formative and flexible program for the first time offender because it overcomes rigidity of imprisonment.

PROBATION PROCEDURE:
The probation of offenders ordinance(1960), section 5 empowers judiciary/courts to place certain offenders on probation not more than 3 years who are eligible to release on probation. After release of offender on probation , the Reclamation and Probation (R&P) department in the province is to supervise, monitor and rehabilitate them in community. Probation and Parole officer plays the key role in the whole process of probation system from release of offenders to successful rehabilitation.
The courts empowered to release offenders on probation;

1. High courts
2. Session courts
3. Judicial Magistrate 1st class
4. Any other Magistrate especially empowered in this regard

SOCIAL INVESTIGATION REPORT (SIR):
After hearing the arguments of the prosecution and defence, if the court feels the case fit for probation, then it orders the probation officers to submit (SIR) that includes the following information about offender:

1. Character
2. Antecedent
3. Commission and nature of offence
4. Home surrounding and other circumtances

CONDITIONS:

When an offender is put on probation, all or part of the jail sentence and/or fines are suspended. However, probation is a conditional sentence, meaning that if an offender does not comply with the conditions of probation, probation may be revoked, and the suspended jail sentence and/or fines will be reinstituted.
Probation conditions can vary greatly by state and even by county. Probation conditions can also vary depending on if the probation is court-supervised (*informal* or *summary probation*), or probation officer-supervised (*formal probation*). Informal probation conditions are crafted by the judge, and the judge has wide discretion to do so. However, even in informal probation, the judge will often look to formal probation guidelines to assist in them in setting terms. In formal probation, most jurisdictions have two types of probation conditions: standard conditions and special, or discretionary, conditions.

Standard Probation Conditions

Standard probation conditions are conditions that are imposed no matter the type or level of the crime. Standard conditions generally include rehabilitative terms, such as the attendance to group or individual therapy, submission to random drug testing, avoidance of places and/or people that are associated with criminal activity, the requirement that the defendant not commit another federal, state, or local crime, and when possible, the maintenance of gainful employment and/or education.

Other standard conditions provide for restoring the victim and the community and include payment of restitution, payment of court fees and/or fines, and community service. Finally, some standard probation conditions are imposed as punishment for the crime committed. These terms may include compliance with all court orders, regular reporting to a probation officer or court, home searches, weapon prohibition, restriction from leaving the county or state, and drug and alcohol prohibition or restriction.
Some probation conditions are tailored to the crime committed. These include registration as a sex offender, compliance with a restraining order and/or attending domestic violence classes, and installation of an interlock ignition device for a multiple DUI conviction.

SPECIAL PROBATION CONDITIONS

Many jurisdictions also have special, or discretionary, conditions of probation. Special conditions of probation are generally added when the crime committed was a felony, as well as in other cases in which the court and/or prosecutor feels that it would be appropriate to add the condition to the defendant's probation period.

Typical examples of special conditions include remaining at one's home unless working or at school, imprisonment or remaining in the custody of the prison bureau or board on weekend or evenings (e.g. compliance with a house arrest program), attendance to drug or alcohol counseling, payment of all child support or other family obligations, or deportation if the defendant is within the country illegally. People on probation that are required to register as sex offenders are generally required to submit to a random search of their person, home, car, computer, or any other personal effects by a probation officer who has reasonable suspicion the offender has committed a crime.

QUESTION 7: Discuss in detail the "Interviewing and Interrogation Techniques" of investigation. (MATERIAL RELATED TO QUESTION)

Written by: James Orlando, Associate Attorney

This report provides a concise overview of (1) the Reid method of interrogation, (2) critiques of the Reid method, and (3) alternative interrogation techniques.

SUMMARY The Reid method is a system of interviewing and interrogation widely used by police departments in the United States. The term "The Reid Technique of Interviewing and Interrogation" is a registered trademark of John E. Reid and Associates, Inc. According to the company's website, over 500,000 law enforcement and security professionals have attended the company's interview and interrogation training programs since they were first offered in 1974. Some critics contend that the Reid Technique is premised on certain assumptions about human behavior that are not supported by empirical evidence, and that the technique may lead to false confessions. The company contends that critics mischaracterize the Reid Technique and that false confessions are caused by interrogators applying inappropriate methods not endorsed by the company. Two alternative interrogation techniques are (1) Preparation and Planning, Engage and Explain, Account, Closure and Evaluate (PEACE), a less confrontational method used in England, and (2) the Kinesic Interview, a method that focuses on recognizing deception.

REID TECHNIQUE The Reid Technique involves three components – factual analysis, interviewing, and interrogation. Following is a brief summary of these components; more information is available on the company's website.

Factual Analysis

The Reid website describes factual analysis as: an inductive approach where each individual suspect is evaluated with respect to specific observations relating to the crime. Consequently, factual analysis relies not only on crime scene analysis, but also on information learned about each suspect. . . . Applying factual analysis . . . results in establishing an estimate of a particular suspect's probable guilt or innocence based on such things as the suspect's bio-social status (gender, race, occupation, marital status, etc.), opportunity and access to commit the crime, their behavior before and after the crime, their motivations and propensity to commit the crime, and evaluation of physical and circumstantial evidence.

This factual analysis is also intended to "identify characteristics about the suspect and the crime which will be helpful during an interrogation of the suspect believed to be guilty[,]" such as motive or the suspect's personality type.

Behavior Analysis Interview The Reid website describes the Behavior Analysis Interview (BAI) as a non-accusatory question and answer session, involving both standard investigative questions and "structured 'behavior provoking' questions to elicit behavior symptoms of truth or deception from the person being interviewed."

The investigator first asks background questions, to establish personal information about the suspect and allow the investigator to evaluate the suspect's "normal" verbal and nonverbal behavior. The investigator then asks "behavior-provoking" questions intended "to elicit different verbal and nonverbal responses from truthful and deceptive suspects." The investigator will also ask some investigative questions during this stage. The Reid website states that the BAI:

provides objective criteria to render an opinion about the suspect's truthfulness through evaluating responses to the behavior-provoking and investigative questions. In addition, the

BAI facilitates the eventual interrogation of guilty suspects . . . by establishing a working rapport with the suspect during the non-accusatory BAI, and developing insight about the suspect and his crime to facilitate the formulation of an interrogation strategy.

Interrogation The Reid website states that an interrogation "should only occur when the investigator is reasonably certain of the suspect's involvement in the issue under investigation." There are nine steps to the Reid interrogation technique, briefly described below.

1. The positive confrontation. The investigator tells the suspect that the evidence demonstrates the person's guilt. If the person's guilt seems clear to the investigator, the statement should be unequivocal.

2. Theme development. The investigator then presents a moral justification (theme) for the offense, such as placing the moral blame on someone else or outside circumstances. The investigator presents the theme in a monologue and in sympathetic manner.

3. Handling denials. When the suspect asks for permission to speak at this stage (likely to deny the accusations), the investigator should discourage allowing the suspect to do so. The Reid website asserts that innocent suspects are less likely to ask for permission and more likely to "promptly and unequivocally" deny the accusation. The website states that "[i]t is very rare for an innocent suspect to move past this denial state."

4. Overcoming objections. When attempts at denial do not succeed, a guilty suspect often makes objections to support a claim of innocence (e.g., I would never do that because I love my job.) The investigator should generally accept these objections as if they were truthful, rather than arguing with the suspect, and use the objections to further develop the theme.

5. Procurement and retention of suspect's attention. The investigator must procure the suspect's attention so that the suspect focuses on the investigator's theme rather than on punishment. One way the investigator can do this is to close the physical distance between himself or herself and the suspect. The investigator should also "channel the theme down to the probable alternative components."

6. Handling the suspect's passive mood. The investigator "should intensify the theme presentation and concentrate on the central reasons he [or she] is offering as psychological justification . . . [and] continue to display an understanding and sympathetic demeanor in urging the suspect to tell the truth."

7. Presenting an alternative question. The investigator should present two choices, assuming the suspect's guilt and developed as a "logical extension from the theme," with one alternative offering a better justification for the crime (e.g., "Did you plan this thing out or did it just happen on the spur of the moment?"). The investigator may follow the question with a supporting statement "which encourages the suspect to choose the more understandable side of the alternative."

8. Having the suspect orally relate various details of the offense. After the suspect accepts one side of the alternative (thus admitting guilt), the investigator should immediately respond with a statement of reinforcement acknowledging that admission. The investigator then seeks to obtain a brief oral review of the basic events, before asking more detailed questions.

9. Converting an oral confession to a written confession. The investigator must convert the oral confession into a written or recorded confession. The website provides some guidelines, such as repeating *Miranda* warnings, avoiding leading questions, and using the suspect's own language.

CRITIQUES OF REID TECHNIQUE There has been considerable academic research on various aspects of police interrogation, including whether interrogation methods can lead to false confessions. Below, we briefly describe some criticisms of the Reid Technique, as well as responses to such criticisms by Reid and Associates, Inc. For a more detailed summary of criticisms of the Reid Technique, see this article from *Criminal Law Quarterly*, a Canadian journal. For more information on the company's response to such criticisms, see this document from Reid's website.

In the "Sources and Other Information" section of this report, we provide links to some studies and commentary on these issues. This report does not attempt to survey the vast range of research on the relationship between interrogation techniques and false confessions. If you would like more information about particular aspects of this issue, please let us know.

Discerning truth or deception One aspect of the Reid approach is to train investigators to discern when a suspect is lying (e.g., by analyzing nonverbal behavior during the initial interview). Critics question whether training can actually lead investigators to do so, and point to

various studies concerning the ability to discern truth from lying. For example, one frequent critic of the Reid Technique, law professor Richard Leo, argues that extensive social science research has demonstrated:

that people are poor at making accurate judgments of truth and deception in general, that the behavior cues police rely on in particular are not diagnostic of deception, and that investigators cannot distinguish truthful from false denials of guilt at rates significantly greater than chance, but instead routinely make confidently held yet erroneous judgments (Leo 2013, 203).

Reid and Associates, Inc. argues that many such studies have limited applicability to police interrogations. For example, the studies may have (1) involved college students in laboratory settings, with students having low motivation to be believed if innocent or avoid detection if lying, or (2) been conducted by people not trained to interview criminal suspects. The company also points to other studies supporting the contention that training can increase the ability of police to detect when suspects are lying.

False confessions Critics argue that various features of the Reid interrogation method may lead certain innocent suspects to confess. For example, one critique argues that "the guilt-presumptive nature" of the Reid method "creates a slippery slope for innocent suspects because it may set in motion a sequence of reciprocal observations and reactions between the suspect and interrogator that serve to confirm the interrogator's belief in the suspect's guilt" (Moore and Fitzsimmons, 513). According to some critics of the Reid Technique, aspects of Reid-style interrogation that may lead to false confessions include (1) misclassification (the police attributing deception to truthful suspects); (2) coercion (including psychological manipulation); and (3) contamination (such as when police present non-public information to a suspect, and the suspect incorporates that information in his or her confession) (Gudjonsson 2012, 695, discussing Leo and Drizin among other studies).

Reid and Associates, Inc. disputes the contention that their methods lead to false confessions. They argue that:

False confessions are not caused by the application of the Reid Technique . . . [but instead] are usually caused by interrogators engaging in improper behavior that is outside of the parameters of the Reid Technique . . . such as threatening inevitable consequences; making a promise of leniency in return for the confession; denying a subject their rights; conducting an excessively long interrogation; etc.

The company also cites court cases upholding their methods or denying the admission of expert testimony that would link those methods to false confessions (e.g., *U.S. v. Jacques*, 784 F.Supp.2d 59, D. Mass. (2011)).

PEACE METHOD In England, police generally use a less confrontational interview and interrogation method than is used in the United States. The method is called Preparation and Planning, Engage and Explain, Account, Closure and Evaluate (PEACE). Under the PEACE method, investigators allow a suspect to tell his or her story without interruption, before presenting the suspect with any inconsistencies or contradictions between the story and other evidence. Investigators are prohibited from deceiving suspects during an interview (Meissner et al., 11).

The following information on the steps to the PEACE method is drawn from Authorised Professional Practice (APP), a national body of guidance on policing in the United Kingdom. For more detailed information, see their website.

1. Preparation and Planning. Interviewers should create a written interview plan, focusing on issues such as the objectives of the interview and the order of interviews. Among other things, the plan should include the time a suspect has been in custody, the topics to be covered, and points necessary to prove the offense or provide a defense. Interviewers should consider characteristics of the interviewee that could be relevant to the plan (e.g., cultural background could affect how someone prefers to be addressed). Interviewers may need to consider practical arrangements, such as visiting the scene or the location of the interview.

2. Engage and Explain. The interviewers should engage the individual, including using active listening to establish a rapport with him or her. The interviewers should explain the reasons for the interview and its objectives. They should also explain routines and expectations of the process (e.g., explaining that the interviewers will take notes). Interviewers should encourage the individual to state anything they believe is relevant.

3. Account. The interviewers should use appropriate questions and active listening to obtain the interviewee's account of events. Questions should be short and free of jargon, and can help to clarify and expand the account. Multi-part questions should generally be avoided due to possible confusion, and leading questions should be used only as a last resort.

4. Closure. This stage should be planned to avoid an abrupt end to the interview. Among other things, the interviewers should summarize the person's account of events, allowing the person to make clarifications and ask questions.

5. Evaluate. The interviewers should evaluate the interview to (a) assess how the interviewee's account fits with the investigation as a whole, (b) determine if further action is needed, and (c) reflect on their performance.

KINESIC INTERVIEW The Kinesic Interview method involves analyzing a person's behavior to assess deception. The method has some similarities to the Reid Technique.

Kinesics is the study of nonverbal communication. One author, Stan B. Walters, describes two phases to this process: the “Practical Kinesic Analysis Phase” and the “Practical Kinesic Interrogation Phase.”

During the analysis phase, the interviewer uses several techniques to observe and analyze the subject's behavior “to determine the subject's truthful and deceptive behaviors or at least to determine those areas most sensitive to the subject and, therefore, in need of further attention through verbal inquiry” (Walters 3). Walters describes four fundamental stages of the

interview: (1) orientation, (2) narration, (3) cross-examination, and (4) resolution (Id. at 25-29).

The investigator uses information gathered during the first phase to tailor interrogation for the specific subject. Walters describes the interrogator's task of "breaking the cycle of deception" during the interrogation; this includes confronting the suspect's negative-response emotional states (Id. at 209). Walters outlines different interrogation strategies for different personality types.

Walters describes over 30 practical kinesic principles to guide investigators in this process. The "first and most important" such principle is that "No single kinesic behavior, verbal or nonverbal, proves a person is truthful or deceptive" (Id. at 10). The other principles include both general statements of human behavior (people are better able to control verbal than nonverbal kinesic signals) and statements specifically focused on interview or interrogation techniques (to attack a denial, the investigator should review the real or circumstantial evidence with the subject every 3 to 5 minutes).

QUESTION 8: Write a detailed note on Cyber Crime.

INTRODUCTION:

Cybercrime, also called computer crime, the use of a computer as an instrument to further illegal ends, such as committing fraud, trafficking in child pornography and intellectual property, stealing identities, or violating privacy. Cybercrime, especially through the Internet, has grown in importance as the computer has become central to commerce, entertainment, and government.
Because of the early and widespread adoption of computers and the Internet in the United States, most of the earliest victims and villains of cybercrime were Americans. By the 21st century, though, hardly a hamlet remained anywhere in the world that had not been touched by cybercrime of one sort or another.

New technologies create new criminal opportunities but few new types of crime. What distinguishes cybercrime from traditional criminal activity? Obviously, one difference is the use of the digital computer, but technology alone is insufficient for any distinction that might exist between different realms of criminal activity. Criminals do not need a computer to commit fraud, traffic in child pornography and intellectual property, steal an identity, or violate someone's privacy. All those activities existed before the "cyber" prefix became ubiquitous. Cybercrime, especially involving the Internet, represents an extension of existing criminal behaviour alongside some novel illegal activities.
Most cybercrime is an attack on information about individuals, corporations, or governments. Although the attacks do not take place on a physical body, they do take place on the personal or corporate virtual body, which is the set of informational attributes that define people and institutions on the Internet. In other words, in the digital age our virtual identities are essential elements of everyday life: we are a bundle of numbers and identifiers in multiple computer databases owned by governments and corporations. Cybercrime highlights the centrality of networked computers in our lives, as well as the fragility of such seemingly solid facts as individual identity.

An important aspect of cybercrime is its nonlocal character: actions can occur in jurisdictions separated by vast distances. This poses severe problems for law enforcement since previously local or even national crimes now require international cooperation. For example, if a person accesses child pornography located on a computer in a country that does not ban child pornography, is that individual committing a crime in a nation where such materials are illegal? Where exactly does cybercrime take place? Cyberspace is simply a richer version of the space where a telephone conversation takes place, somewhere between the two people having the conversation. As a planet-spanning network, the Internet offers criminals multiple hiding places in the real world as well as in the network itself. However, just as individuals walking on the ground leave marks that a skilled tracker can follow, cybercriminals leave clues as to their identity and location, despite their best efforts to cover their tracks. In order to follow such clues across national boundaries, though, international cybercrime treaties must be ratified

TYPES:

1. Identity theft and invasion of privacy
2. Internet fraud
3. ATM fraud
4. Wire fraud
5. File sharing and piracy
6. Counterfeiting and forgery
7. Child pornography
8. Hacking
9. Computer viruses

10. Denial of service attacks
11. Spam, steganography, and e-mail hacking
12. Sabotage

CYBERCRIME AND INTERPOL ROLE

Cybercrime is a fast-growing area of crime. More and more criminals are exploiting the speed, convenience and anonymity of the Internet to commit a diverse range of criminal activities that know no borders, either physical or virtual, cause serious harm and pose very real threats to victims worldwide.

Although there is no single universal definition of cybercrime, law enforcement generally makes a distinction between two main types of Internet-related crime:
Advanced cybercrime (or high-tech crime) – sophisticated attacks against computer hardware and software;
Cyber-enabled crime – many 'traditional' crimes have taken a new turn with the advent of the Internet, such as crimes against children, financial crimes and even terrorism.
Read about online safety: how to protect yourself and your devices from cyberthreats.

THE CHANGING NATURE OF CYBERCRIME New trends in cybercrime are emerging all the time, with estimated costs to the global economy running to billions of dollars. In the past, cybercrime was committed mainly by individuals or small groups. Today, we are seeing highly complex cybercriminal networks bring together individuals from across the globe in real time to commit crimes on an unprecedented scale. Criminal organizations turning increasingly to the Internet to facilitate their activities and maximize their profit in the shortest time. The crimes themselves are not necessarily new – such as theft, fraud, illegal gambling, sale of fake medicines – but they are evolving in line with the opportunities presented online and therefore becoming more widespread and damaging.

INTERPOL'S ROLE INTERPOL is committed to the global fight against cybercrime, as well as tackling cyber-enabled crimes.

Most cybercrimes are transnational in nature, therefore INTERPOL is the natural partner for any law enforcement agency looking to investigate these crimes on a cooperative level. By working with private industry, INTERPOL is able to provide local law enforcement with focused cyber intelligence, derived from combining inputs on a global scale.
Our main initiatives in cybercrime focus on:

1. Operational and investigative support
2. Cyber intelligence and analysis
3. Digital forensics
4. Innovation and research
5. Capacity building
6. National Cyber Reviews.

INTERPOL GLOBAL COMPLEX FOR INNOVATION

INTERPOL is committed to being a global coordination body for the detection and prevention of digital crimes through the INTERPOL Global Complex for Innovation (IGCI) in Singapore. This cutting-edge research and development facility, which opened in 2014, leverages global cyber-expertise from law enforcement and key private sector partners. INTERPOL is uniquely positioned to advance the fight against cybercrime on a global scale through proactive research into emerging crimes, the latest training techniques, and development of innovative new policing tools.

MONEY LAUNDERING

CONCEPT OF MONEY LAUNDERING: Money laundering is designated as the source of illegally obtained funds covered through a series of transfers and deals in order that those same funds can eventually be made to appear as legitimate income (Robinson). According to Interpol General Secretariat Assembly in 1995, money laundering is any act or attempted act to conceal or disguise the identity of illegally obtained proceeds so that they appear to have originated from legitimate sources.

Money Laundering is an expression that has recent origin. Money laundering is a cultured crime that is not to be taken seriously by society. When comparing with street crimes, it is a modern crime. Some experts refer to it as a victimless crime but in reality, it is not a crime against a particular individual, but it is a crime against nations, economies government, rule of law and world at large. Money laundering has become a worldwide threat. The objective of a huge number of criminal acts is to get profit for the individual or group that performed the act and then hide either the source or the purpose of cash. Money laundering is the processing of these criminal proceeds to cover their illegal origin. This process is very crucial for government and other responsible authorities as it enables the criminal to enjoy money obtained from illegal source. Some of the crimes such as illegal arms sales, smuggling, corruption, drug trafficking and the activities of organized crime including tax evasion produce huge money. Insider trading, corruption and computer fraud schemes also generate more profits and create the incentive to legitimize the illegal gains through money laundering. When a criminal activity produces large profits, the individual or group involved must find a way to control the funds without attracting attention to the original activity or the persons involved. Criminals perform this by disguising the sources, changing the form, or transferring money to a place where they are less likely to attract attention. Otherwise, they will not be able to use the money because it would connect them to the criminal action, and law enforcement authorities would grab it. If criminals perform this process successfully, it allows the criminals to maintain control over their proceeds and eventually to provide a legitimate cover for their source of income. Where criminals are allowed to use the proceeds of crime, the ability to launder such proceeds makes crime more attractive.

SIGNIFICANCE OF MONEY LAUNDERING: Money laundering is an important criminal issue for policy makers and government authorities that gained increasing significance after the occurrence of heart throbbing indents of 9/11 attack on the twin towers in the U.S. After that all nations has focused its attention on the notion of money laundering and has recognized it as a source of the funding of terrorist actions. The process of globalization and advancements of the communications have made crime increasingly international in scope, and the financial aspects of crime have become more complex due to technology enhancement. The huge expansion of international banks all over the world has facilitated the transmission and the disguising of the origin of funds. This may have shocking social consequences and poses a threat to the security of any nation at large or small scale. It offers immense facilities for drug dealers, terrorists, illegal arms dealers, corrupt public officials and all types of criminals to operate and increase their criminal activities. Laundering enables criminal activity to continue. Money laundering causes an alteration of resources to less productive areas of the economy which in turn deceases economic development. If security authorities and government ignore this crime, there will be serious consequences on social and political development of nation. The economic and political

influence of criminal organizations can deteriorate the social fabric, collective ethical standards, and eventually the democratic institutions of civilisation.

THEORETICAL REVIEW OF MONEY LAUNDERING: It has been demonstrated in academic reports that financial institutions have made efforts to detect and prevent money laundering since last many years, but the main feature of money laundering are its processes in which it is carried out. Many experts have argued that money laundering does not take a singular act but takes a more complex operation, which is completed in three basic steps which include placement, layering and integration (Anon, 2006). The International Monetary Fund (IMF) (2001: 7-8) defined money laundering as being the "transferring (of) illegally obtained money or investments through an outside party to conceal the true source". In South Africa, the Public Accountants and Auditors Board (2003), stated that money laundering is defined in local legislation as being "virtually every act or transaction that involves the proceeds of crimes, including the spending of funds that were obtained illegally". There are variation in views of different authorities to explain the notion of money laundering.

HOW TO PREVENT IT? Money Laundering is spreading at speedy rate at global level and it is a serious matter for legislature authorities that must be curbed for smooth functioning of society and economic enhancement of all nations. All nations have to work together to combat such devastating criminal activity. Money Laundering is fundamentally, the process of transforming, through a series of stages, the proceeds of illegal or criminal activity, into apparently legitimately acquired funds. Today, due to technical modernization, the criminals are very clever and cheat the enforcing agencies through deploying a team of experts like chartered accountants, attorneys, banker's mafia, to cover their illicit money and pretence it as legal income. These professionals charge fee between 10 to 15% of the sum involved. The connection between white-collared criminals, politicians, enforcing agencies and gangs are so strong that it is difficult to break. Bankers also has vital role and without their involvement, the operation cannot be successful. There numerous payment option such wire transfer of funds has further aggravated the difficulties to identify the movement of sludge funds. The international type of money laundering requires international law enforcement cooperation to effectively examine and accuse those that initiate these complex criminal organizations. Money laundering must be combated mainly by penal ways and within the frameworks of international cooperation among judicial and law enforcement authorities. It can be said that simply enactment of Anti-Money Laundering Laws will not resolve such serious crime instead the Law enforcement Community must keep bound with the ever changing dynamics of money Launderers who continually evolves advanced techniques which helps them to implement strict law to curb money laundering.

SHORT NOTE ON

WHITE COLLAR CRIMES

White-collar crime is a nonviolent crime committed for financial gain. Securities fraud, embezzlement, corporate fraud and money laundering are examples of white-collar crime, and these acts are usually investigated by the FBI, the Securities and Exchange Commission (SEC) and the National Association of Securities Dealers (NASD). Some high-profile individuals convicted of white-collar crimes include Kenneth Lay, Bernard Madoff and Bernard Ebbers.

BREAKING DOWN 'White-Collar Crime '

White-collar crime gets its name from the types of individuals who typically commit financial fraud, including business managers, fund managers and executives. Individuals can face prison time and steep fines if they are convicted of white-collar crimes. The federal government can also pursue financial damages from corporations and banks that commit white-collar crime on an institution-wide level.

EXAMPLE OF WHITE-COLLAR CRIME COMMITTED BY AN INDIVIDUAL

One of the most well-known white-collar criminals is Bernard Madoff, who was convicted in 2009 of a massive fraud that cost investors $65 billion. Madoff, sentenced to 150 years in prison, ran an elaborate Ponzi scheme, which promised large returns on investments. For many years, Madoff used money from new investors to pay previous investors without actually investing the funds. Madoff's scheme fell apart when a significant number of investors demanded their money back, and Madoff was unable to pay them.

EXAMPLES OF CORPORATE WHITE-COLLAR CRIME

Corporate white-collar crime usually involves a large-scale fraud perpetrated throughout the institution. For instance, Credit Suisse pleaded guilty in 2014 to helping U.S. citizens avoid paying taxes by hiding income from the Internal Revenue Service. The bank agreed to pay penalties of $2.6 billion.

Also in 2014, Bank of America acknowledged it sold billions in mortgage-backed securities (MBS) tied to properties with inflated values. These loans, which did not have proper collateral, were among the types of financial misdeeds that led to the financial crash of 2008. Bank of America agreed to pay $16.65 billion in damages and admit to its wrongdoing.

QUESTION 6: Enlist and discuss the principles of criminal investigation

Answer:

a) Proceedings of the spot
b) Ascertainment's of the facts
c) Discovery and arrest of the offender
d) Collection of evidence
e) Examination of various persons
f) Search of place
g) To establish that crime was actually committed
h) To identify and apprehend the suspects
i) To recover stolen and damaged property
j) To recover items used in the commission of crime
k) To assist in the prosecution of persons charged with the crime

QUESTION 7. Causes of juvenile delinquency in Pakistan

ANSWER:

1. Lack of education
2. Lack if guidance
3. Lack of social exposure
4. Bad Friendships
5. Modern youth
6. Modern technology
7. Negative role of media

QUESTION 8. Measures to improve juvenile system in Pakistan?

ANSWER:

1. Role of media
2. Training
3. Medical facility
4. Vocational skills
5. Improved laws
6. Rehabilitation
7. Modern approach
8. Education.

OTHER TOPIC:

RELATIONS BETWEEN GENDER AND CRIME

INTRODUCTION The relations between gender and crime are deep, persistent and paradoxical. Gender has been recognized as one of the most important factors that play a significant role in dealing with different kinds of crimes within criminal justice systems. It has long been considered that men and women differ in their offence rates and patterns and in their victimization experiences. Braithwaite (1989) clearly stated that crime is "committed disproportionately by males." Such a statement appears to have a significant effect on the way that both law and society respond to different kinds of crimes. The idea that crimes are committed primarily by males has had a major effect on criminological thinking and on criminal justice policies. This effect is different from one society to another and from time to time within one society, since gender roles and expectations are changing.

The aim of this essay is to consider how gender affects the way the law and society respond to different types of crime and violence. It will argue that gender plays a significant role in dealing with various crimes within the criminal justice system. Although as a general statement it can be said that the law does not differentiate between men and women, research conducted in the field of criminology have clearly shown that social characteristics of offenders such as race, gender and class, have influenced the decisions made in the CJS. For example, Morris (1987) has considered in his study that women are treated more leniently than men within the CJS, and they are less likely to be arrested, convicted and jailed. This essay will consider whether society's views about gender roles and expectations affect the way that it responds to crimes, particularly violent crime. All of these issues and questions will be examined by using concrete examples (statistics and cases), without focusing on any one country or only one type of crime.

GENDER, CRIMES AND CULTURAL VIEWS

There is no doubt that in all societies, response to crimes, particularly serious ones, is significantly affected by the gender of the defendants or sometimes the gender of the victims. Within societies, female gender expectations and gender roles are different from those of males. There are some kinds of crimes that can be expected to be committed by women, but there are others that are not. On the one hand, there is no gender role corresponding to the former kinds of crimes, or at least it is not clear. On the other hand, if a woman commits a crime that society does not expect her to commit, such as killing her children, she will invariably be treated harshly by that society. Society's expectations depend on the culture and tradition more than the law. Since regulations, in general, make no difference in dealing with crime on the basis of gender, in practice the situation may be different.

Even today in some societies, women are perceived as sexual objects and are expected to remain within male-dominated ideologies such as homemaker and nurturer, subordinate to men. In societies such as Pakistan, women are considered to be the 'property' of men, and domestic violence may be understood as the right of men over the women with whom they live. In fact, violence against females by their male relatives is something that may be accepted by the society and the family if she has been considered to have violated the traditional gender roles in her society. Nagina Bibi, a seventeen year old girl from Pakistan, was engaged by her father to her cousin, but her brother wanted her to marry his wife's brother. On April 14, 1999, after her brother saw her talking to the cousin chosen by their father on the street, he and another brother reportedly tied her with a rope to a wooden post in their home, sprinkled kerosene over her and set her on fire. She was taken to a hospital with burns on 75% of her body, and after 23 days, she died. Nagina's family claimed that this was due to a stove explosion, but she told doctors that her brother had set her on fire because she had disobeyed him. In such societies, males believe that if a female is defiant, then there is

nothing morally or legally wrong with beating or even killing her. If men do engage in violence, they justifiably believe that they will not be prosecuted. In such societies, the unequal position of women results from social oppression as well as economic dependency on men. A woman who attacks her alleged batterer in these societies is considered to have violated "not just traditional gender roles of passivity and care-giving, but also a sexual hierarchy that grants men power over her." This is a major cause of violence against women; for instance, five Pakistani women per day are killed, and two women per day, in the region of Punjab alone, are kidnapped.

On the other hand, it is commonly accepted that murders of male batterers by female victims of domestic violence be treated more seriously by both the legal system and society. In most societies when a man kills his wife or his daughter or his sister, it is acceptable by the public. While if a woman kills her violent husband, she will be definitely charged. It is widely considered that women who commit crimes have been perceived as males that have the worst characteristics of females. Lombroso and Ferrero (1985) emphasized that women who commit crimes are seen as genetically more male than female, therefore biologically abnormal. So females who did not act according to pre-defined standards were diagnosed as pathological and requiring treatment; they were to be 'cured' or 'removed'. Moreover, it is commonly believed that women who commit crimes, particularly serious crimes, are either evil or mentally ill when they commit an offense.

In addition, female defendants are viewed differently, as it is believed within some societies that women who conform are pure wives, mothers and respectful daughters who benefit society. Therefore, if they commit a crime, they will be categorized as 'mad,' not 'bad'. Non-conforming women may be those who engage in activities associated with men, or those who are likely to commit crimes. These women, as Bottoms (1996) stated, are doubly damned and doubly deviant. Furthermore, it has been argued that white and black females occupy different rungs on the social hierarchy. Nooruddin (2006) stated that white women in the USA are generally considered more valuable than black women, and they are accorded a different set of values and roles than are black women. Within some societies, white women have been considered as 'gentle creatures' in need of protection, while black women have been characterized as lazy, promiscuous, and irresponsible. As a consequence, white and black females are treated differently by their society and within the legal system. For example, white women who 'protect themselves' from violent attackers will be treated with leniency, while black females "are more likely to be blamed for getting into such a situation and for 'bringing it' on themselves." Based on these perceptions, it is likely that white women who kill their batterers will be treated less severely than black ones if they have done the same. This point will be clear when the relevant cases will be discussed in the next part of this essay.

GENDER AND THE LEGAL SYSTEM

As a significant improvement in responding to violent crimes in England and Wales, new instructions issued to officers in a Force Order in June 1987 have been implemented. This Order considers assaults that occur in the home to be as serious as assaults that occur in public. Also, it considers the importance of police support to victims and connection with local agencies, and reminds officers of their powers of arrest. The Home Office Circular of 60/1990 gave the police guidance that encouraged a quick and effective response in arresting suspects if the protection of the victim required it. However, follow-up studies have not been very positive. For example, in a study conducted in Streatham, London in 1989, only 204 suspects were arrested out of 446 domestic violence-related crimes. 105 of those arrested (52%) were charged, 66% received two months in prison, and 5% received no further action. Nevertheless, Force Order 1987 has been recognized as an effective tool against domestic violence, since studies conducted prior to the Order showed that domestic violence was regarded by the police as problematic and a waste of time. Also, the studies considered that arrest was rarely used and was not considered a practical means of dealing with the problem.

Many officers believed that women were responsible for male violence, 'because women have sharper tongues than men, and they go on and on.'

Gender's effect on the way that the law and society respond to different kinds of crimes can be seen from the fact that police hold stereotypical attitudes towards females and the crimes they commit. Also, it can be seen from courts practice and sentencing patterns that women are jailed for minor offenses and "that the 'evil woman' thesis and the 'double deviance, double jeopardy' thesis are used against women in court." As mentioned above, criminal laws broadly apply equally to women and to men. However, sex and gender sometimes have significance as legal categories in relation to criminal acts. For instance, male homosexual acts have at certain times been defined as criminal in most western countries, while lesbian acts have not. Also, the law often treats the prostitution activities of males and females differently. Under English common law, for example, women charged with an offense committed in the presence of their husbands (except murder and treason) could rely on the presumption that they acted under compulsion until this was abolished in 1925. Furthermore, it was widely believed that women must be protected from criminal acts, rather than held responsible for them.

Women, by and large, are not expected to be violent. Women are more in need of protection and they are mostly seen as less culpable and less likely to be recidivists; they therefore should be treated more leniently. In accordance with this hypothesis, enforcement officers and judges are less likely to see women defendants as 'posing a threat' to society and they believe that those defendants need to be protected, thus subsequently affecting their sentencing decision. Many judges think carefully before deciding to send a female to prison.

In fact, such a hypothesis has been supported by research, which finds that women are less likely than men to commit crimes, especially violent crimes. Perhaps one of the main reasons for the fact that the crime rate for women is very low compared to men is that most law enforcement officers and judges are men. Men have orthodox views about women and how they should behave. Therefore, they tend to be less harsh with them. Moreover, the main expectation of many studies was that male defendants who were accused of killing women were more likely to be convicted and less likely to receive a reduced charge.

In considering how gender affects the way that the law responds to different crimes, it is important to consider the practices of the police, the crown prosecutor's service, and the courts. The effectiveness of the criminal justice system remedies depends on their implementation in practice.

GENDER AND POLICE PRACTICE

In dealing with different kinds of crimes, some studies have suggested that the offenders' character and attitude is a key factor which influences the decision made by the police. For example, women were found to be more likely to show behavior that the police would not consider as offensive. It has been considered in many studies in the UK and in the USA that females see the police as people who will help them, while males see them in a more cynical light. The police simply categorize women as non-serious and non-persistent offenders; therefore, they are less likely to be arrested by the police. It has been demonstrated that the police deal with women more leniently than they do with men; also, it has been found that women are cautioned rather than arrested for indictable offences more often than men.

In accordance with the chivalry hypothesis, on the one hand, women are in need of protection because they are seen as physically and emotionally weak, and are therefore considered to be protected by the criminal justice system rather than punished. On the other hand, males are considered to be in a protector position for women and therefore should not be expected to harm them. Accordingly, if they do so, they will receive highly punitive sentences. In fact, a number of researches have supported this hypothesis by finding that men were treated harshly compared with women. However, although the sex of an offender plays a significant role in

police decisions, it has been argued that the fate of women within the CJS in regard to crimes depends on how well a woman can represent the traditional stereotypical female role. Lloyd (1995) stated that women often use their 'femininity' to their advantage, which makes it very difficult to argue equal rights for both sexes. Moreover, the nature of the offence has been found more effective and beside it the offender sex was found weak. For example, as women, prostitutes complained about being treated seriously and being subjects of harassment. Also, Heidensohn (1994) has found that rape victims were being disbelieved and aggressively questioned by the police.

In addition, it has been considered that police decisions were significantly influenced by the factors of race and class. In one case a police officer stated, "We had one Irish fellow living with a black girl, she's got a baby by someone else, and now she's expecting his baby. She wanted to go out at night 'clubbing'. He objected. The house was a tip. I wiped my feet as I walked out. That's how bad it was. It's quite obvious she doesn't want to know. He whacked her and we didn't arrest him. She was making his life Hell! Nothing to be gained from arresting him."

It is important to bear in mind, moreover, that women who experience domestic violence do not often report it to the police. It has been found that the police are often contacted as the very last option. The reasons for women's silence have been widely recognized in the literature. For instance, women are discouraged from reporting from feelings of shame and from a belief that the police will do very little to help. In the UK, it has been found according to research that only 75% of cases are reported to the police by the victims. Furthermore, it has been found that witnesses respond negatively to the crimes they have witnessed. For example, Kitty Genovese of New York was killed by her husband, watched by witnesses who thought it was none of their business.

GENDER AND COURTS PRACTICE

In considering the effect of gender on the treatment of defendants in the criminal justice process, female offenders were found more likely to be released even before the trial and they were less likely to be sentenced severely. The impact of gender in the way that the law and society respond to different kinds of crimes can be clearly seen in court decisions.

First of all, criminality in men was a common feature of their natural character, whereas women's biologically-determined nature was antithetical to crime. On the one hand, it has been argued that, because of the fact that women are seen as less of a risk to society, when they do commit a crime, they will be treated leniently. Albonetti (1991) considered this as one important impact of offender gender on judges and jury in making lenient decisions; when the offenders are female, there should be no or less certainty. On the other hand, viewed as more culpable for their crimes and posing a greater risk, males would be treated more harshly. For instance, men are more likely to receive long-term prison sentences. However, some argue that sentencing patterns of women offenders demonstrate that they are treated harshly. A report published by the National Association of Probation Officers emphasized that in 1994, only 11% of males were jailed for theft compared to 23% of females. Moreover, 35% of the females who were jailed had no previous convictions, compared to 12% of males. Also, 53% of women prisoners had been convicted of two or fewer offences compared to 23% of men. One of the main reasons behind this hypothesis is that some offences are not expected to be committed by females. In other words, they are observed to be atypical of offending women.

Because of the fact that it is considered inappropriate for females to commit violent acts such as armed robbery, when they do so, it was found that they were dealt with more punitively. The thesis that has been used here is that of the "evil woman," which suggests that the female has compromised her role expectations by committing an offense which is not seen as appropriate to offending women. Thus, they are treated more negatively. In the cases of Sarah Thornton, who is a female, and R. V. Palmer, who is a male, the facts were mostly the same,

but the outcomes in court were different. Sarah was convicted and received a life sentence for the offense of murdering her evil husband. She argued that it was an accident; she sharpened a kitchen knife, pointed it at her violent husband, expecting him to knock it away, and accidentally stabbed and killed him. This was interpreted as indicative of her intention to kill him. She told one of her friends that "I am going to kill him" a few months before the incident, which was not treated as an expression of exasperation, but as an indication of intent. She stated that, "I didn't walk in there with the intention of stabbing him. I just wanted to show him how far he had driven me." In contrast, in the case of R. V. Palmer, the appellant stabbed his wife and killed her. He argued that he brought a knife from the kitchen only to frighten her, but accidentally killed her. Unlike Thornton, he was charged with manslaughter, not murder. Then, the Appeals Court reduced his sentence from seven years to five. Thornton, meanwhile, continues to serve her life sentence.

Furthermore, Heidensohn (1985) argues that extreme harshness is experienced against women in the courts because they are, as offenders, very rare due to their low levels of crime and the rarity of ever appearing in court; therefore, it is likely that more of them will be convicted for their offences. He believes that women are understood less than men by the courts, in terms of both their culture and family structure; therefore, assumptions lead to stereotypes about "appropriate" behaviour, and by offending against their traditional sex roles, they are observed as both "rule breakers and role deviants."

Among women themselves, it has been found that divorced and separated women received relatively severe sentences, as did women who came from deviant family backgrounds. This is due to the fact that these women are not considered respectable. As a concrete example, in the cases of Khoua Her and Andrea Yates, there was a general belief that they were treated differently by the criminal justice system in the USA because of their backgrounds. Both of these women are American citizens, but they came from different backgrounds. Khoua Her was a twenty-four-year-old working mother separated from her husband and an immigrant who had been living in the United States for several years. She was sentenced to fifty years imprisonment for the second-degree murder of her six children. Andrea Yates was a married, thirty-six-year-old, white, middle-class, fundamentalist Christian homemaker. She drowned her five children in a bathtub. She was found guilty of two capital murder charges and not guilty of killing her other three children on grounds of insanity. Her lawyer argued that she was suffering from postpartum depression at the time of the murders. In the end, the jury recommended a sentence of life in prison instead of the death penalty. Her lawyers lodged an appeal and won. She will now be eligible for parole in 2041. The reduction in penalty on appeal has been seen as a degree of leniency in the punishment of her crimes.

In addition, it is important, in order to consider how gender affects the way that the law responds to different crimes, to know whether victim gender interacts with offender gender. It has been found that there was interactive effect between victim gender and offender gender, in that males convicted of victimizing females were punished more harshly than any other victim gender/offender gender combination. Curry et al (2004) found that the longest sentences are meted out to male offenders who victimize females. Moreover, in the cases where white females were victims of homicide, it has been found that offenders were more likely to receive death sentences. Also, recent research in the USA found that in most cases where the victim was a white female, sentences were harsher than in other cases. Nooruddin (2006) stated that "the sexual stratification hypothesis argues that relations between black men and white women violate the dominant group's power most directly." Accordingly, abuse of white females by black men is considered particularly heinous in the USA, and therefore treated more severely. Thus, a white female who reacts against a black male batterer would be seen as most worthy of 'protection' by society, resulting in the fact that she would be treated least harshly by the courts. Also, if a white male batterer is killed by a black female, she will be treated harshly by the court, in accordance with such a hypothesis. However, some studies found no direct effect of victim gender on length of sentence. It has

been stated that victim gender may not affect the chances of imprisonment, particularly for violent crime, but it may have a significant impact on sentencing length.

CONCLUSION

Despite the fact that laws on paper deal with men and women equally, it is not guaranteed that male and female defendants will be treated equally. The way that both society and the legal system respond to different kinds of crimes—elements such as political statutes, class, ethnicity, physical and mental disability and age—may play significant roles.

In cases where women are accused, the police distinguish between two kinds of women, ‘good mothers' and ‘bad mothers'. They find it difficult when the former are accused and the opposite with the latter. This may justify the argument that it is not the gender of the offender which influences sentencing, but the female's role within the family. It has been found that in cases where females could prove their respectability by showing that they had no alcoholic or psychiatric history, they often received a less punitive sentence. Kennedy (1995) argues that the “Madonna” is more acceptable in court than a “whore." A woman who can show remorse and passivity, which are approved feminine traits, will be treated more leniently than a woman who does not show these characteristics. Furthermore, Morris (1987) pointed out that Magistrates' Courts took into consideration the women's domestic circumstances, such as the responsibility for children, when they decided sentences against them.

From researches and cases that have been discussed, it has become clear that both the conviction and sentencing stages of criminal procedures are affected by the gender of victims and defendants, and, in general, female defendants are treated more leniently by the courts. Certain trends and patterns in female criminality, as compared with male criminality, have long been observed. Namely, women commit a small percentage of all crime, crimes committed by females are less serious, rarely professional and less likely to be repeated, and, consequently, women formed a small proportion of prison populations.

IMPORTANCE OF CRIMINOLOGY IN PAKISTANI SOCIETY

Each discipline is unique and has especial value and importance. Some disciplines have value and importance primarily in theoretical sense, whereas others are important for their practical value. The science of criminology is important and valuable both in practical and theoretical senses. The science of criminology is related to society and society has been likened to an organism. This fact makes plain and evident the value and significance of the science of criminology. The scope of criminology is the various social crimes and disturbances in their each and every aspect. As the science of medicine studies various ills and their cures which afflict human body, in the same manner criminology studies ills and their cures of society. The value and significance of the science of criminology is theoretical as well as practical. Its theoretical importance lies in the fact that it investigates and determines the cause of social disintegration. The practical or applied aspect of this science is that besides determining the factors and causes of social disintegration, it also studies the ways and means of preventing or eradicating these evils, that is, remedial measures.

The mankind showed interest in crime in every era of its history. Such interest emerged depending on the situation in the form of such feelings as fear, revenge, mercy or support. Criminology is of great importance since it is a discipline that deals with all aspects of crime.

The primary reason that pushes people to make research on crime and criminals is the feeling of learning in their nature. Another reason behind people's curiosity is to protect themselves from such negative situation that they may encounter in the future. Besides, interest in crime is not only personal, but also bears a social qualification.
It is also claimed that the society having interest in crime is beneficial in terms of raising social awareness. Indeed, the society checks whether the rules of criminal law are obeyed or not by having interest in crime. As a result, seeing that criminals are effectively punished raises community's confidence in the state and the judiciary system, whereas such factors as failure to effectively fight against crime, failure of the judiciary system to work well and remissions of punishment cause people lose their belief in the state of law and the judiciary system.

Crimes cost much to the Pakistani society. Indeed, besides the damage given by the commitment of a crime, costs incurred by the society because of the police forces, the judiciary system and the cost for catching and punishing criminals are extremely high.

Besides, feeling of insecurity arising in the Pakistani society because of crime is more important than the substantial damages directly caused by crime, because it is extremely difficult to determine in advance the damage which can be caused by disbelief in the police and the judicial system of the Pakistan. Indeed, due to the developing communication network, instant appearing of crimes in the media may sometimes gain an international dimension, causing domestic and foreign companies to cease their investments and tourists not to go to such places because of security of life and property.

Therefore, keeping in view the current situation of Pakistan where terrorism and other heinous crimes are very common, the science of criminology is very important for the Pakistani society

SCOPE OF CRIMINOLOGY IN PAKISTAN

Criminology basically deals with the study of crimes, criminal behaviors and criminals. It is far most different from forensics. It deals with the whole society and a society impacts an individual on a large scale so, it has very significant value in both theoretical and practical terms. It does not only deal with investigation of social crimes (theoretical aspect) but it also deals with the study of prevention measures to stop these evil causes from the society (practical aspect). A person who has a feeling of learning in his nature tends to study crimes. The other reason to study crime and criminal behaviors is to protect the society from negative and evil activities.

The feelings like mercy, fear, revenge or support have always emphasis humans to indulge in crimes. Crimes are actually a part of society and in every era human beings showed interest in crimes. Keeping in view the current situation of Pakistan, the study of *criminology* is becoming more important and its scope is increasing day by day. People are feeling insecure because of increasing terrorism in Pakistan and crime is more important here than the damage caused by the crime. Because of terrorism, tourists do not come here as they fear of property and life damages. So, an individual can help the country by suggesting counter measures regarding all the crimes and a criminologist can only do so. A criminologist has an ability to study people's mind and he can determine the factors which force a person to engage in crimes.

Criminology is a diverse field some of the criminologists deal with murder cases, some with armed robberies other with rape investigation and some of them with serial crimes of different types.

Frankly speaking, all these crimes are being done in Pakistan and these crimes are increasing day by day. So, our youth can help the country by taking part in investigation of these crimes and by coming up with effective counter measures.

SOLVED MCQS (CSS 2017)

1) A codified law is known as a:
A) deviant act.
B) statute.
C) theory.
D) crime.

2) According to John F. Galliher, legal definitions of criminality are arrived at through a _____ process.
A) Sociological
B) Psychological
C) Political
D) Mainstream

3) Ron Classen sees crime primarily as
A) a violation of a law.
B) problem behavior.
C**) an offense against human relationships**.
D) a form of social maladjustment.

4) The pluralistic perspective suggests that behaviors are typically criminalized through
A) general agreement of members of society.
B) a political process.
C) the existence of shared norms and values.
D) none of the above

5) Which of the following jobs probably would not fall within the field of criminalistics?
A) Fingerprint examiner
B) Polygraph operator
C) Forensics examiner
D) Correctional officer

6) A police officer or probation officer is best described as a
A) Criminalist.
B) Criminologist.
C) Criminal Justice Professional.
D) None of the Above

7) _____ definitions focus on criminology's role in uncovering the underlying causes of crime.
A) Scientific
B) Causative
C) Disciplinary
D) None of the above

8) According to various professional groups, violence in television, music, video games, and movies
A) may lead to increased levels of violent behavior among children.
B) may lead to decreased levels of violent behavior among children.
C) may lead to emotional sensitization toward violence in real life.
D) may have no effect on levels of violent behavior among children.

9) Which of the following is not an immediate input provided by the justice system that may enhance or reduce the likelihood of criminal occurrences?
A) Police response time to a crime scene
B) The availability or lack of official assistance
C) The presence or absence of police officers
D) A prison that acts as a "crime school"

10) Which of the following is not considered a property crime by the UCR?
A) Robbery
B) Burglary
C) Arson

D) Theft

11) Which of the following is not a reason why rape victims fail to report their victimization?
A) Fear that the crime is not important enough to report
B) Fear of the perpetrator
C) Fear of participation in the criminal justice system
D) Shame

12) The category of crimes in NIBRS which corresponds most closely to the UCR Part I offenses is
A) Group-A offenses
B) Part I crimes
C) NIBRS key crimes
D) None of the above

13) According to Elliott Currie, the _____ is the rate of crime calculated on the basis of crimes that would likely be committed by those who are incapacitated by the criminal justice system.
A) actual crime rate
B) criminality index
C) latent crime rate
D) clearance rate

14) The NCVS divides larceny into the categories of _____ larceny.
A) household and personal
B) grand and petty
C) violent and nonviolent
D) felony and misdemeanor

15) Which of the following is not a finding of the National Youth Survey?
A) Violent offenders begin lives of crime earlier than originally believed.
B) Females are involved in a smaller proportion of crime than previously thought.
C) There is a consistent progression from less serious to more serious acts of delinquency over time.
D) Race differentials in crime are smaller than traditional data sources indicated.

16) The first step in any research is to
A) develop a research design.
B) choose a data collection technique.
C) review the findings.
D) identify a problem.

17) A _____ is especially valuable when aspects of the social setting are beyond the control of the researcher.
A) one-group pretest-posttest design
B) case study
C) controlled experiment
D) quasi-experimental design

18) The study of one particular criminal organization is an example of the _____ data-gathering strategy.
A) survey research
B) case study
C) participant observation
D) secondary analysis

19) The degree of dispersion of scores around the mean is known as the
A) standard deviation.
B) median.
C) correlation.
D) significance test.

20) A _____ correlation exists between sample size and the degree of confidence we can have in our results.

A) positive
B) curvilinear
C) negative
D) inverse

21) In which year was the Magna Carta signed?

A) 450 B.C.
B) 1215
C) 1066
D) 1700 B.C.

22) Which of the following was not one of the three types of crimes outlined by Beccaria?

A) Crimes that involved no victims other than society
B) Crimes that ran contrary to the social order
C) Crimes that injured citizens or their property
D) Crimes that threatened the security of the state

23) Which of the following categories of punishment might include the loss of the right to vote?

A) chronic
B) compulsive
C) indelible
D) restrictive

24) The argument that crime is not a result of poverty or social conditions and therefore cannot be affected by social programs was made by

A) Lawrence Cohen.
B) David Fogel.
C) Ronald V. Clarke.
D) James Q. Wilson.

25) Research by _____ found that a small number of chronic recidivists were responsible for a large majority of serious violent crime.

A) Marvin Wolfgang
B) Marcus Felson
C) Jack Katz
D) Ronald V. Clarke